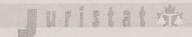




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January 1998 ISSN 0715-271X

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### INTRODUCTION

While most property crimes in Canada have been decreasing in recent years, motor vehicle thefts continue to climb steadily. This growth has caused concern among the general public and has resulted in increased use of anti-theft devices by car owners. The consequences of motor vehicle theft are largely monetary, but may also result in physical harm if the victim is robbed of their vehicle (known as carjacking) or if the theft results in a high-speed pursuit by police. Motor vehicles are usually stolen either for "joy-riding" (usually by youths), for re-sale by organized criminal groups or to commit another crime.

This *Juristat* will present the extent of motor vehicle theft in Canada over the past decade using police-reported data from the Uniform Crime Reporting (UCR) Survey. The prevalence of this crime at the provincial and metropolitan area levels will also be examined. Various sources will be used to look into the nature of this crime, including more detailed incident-based crime statistics from a sample of police agencies as well as other data sources, such as the insurance industry.

#### **Motor Vehicle Theft Defined**

Motor vehicle theft consists of taking a vehicle without the owner's authorization. A motor vehicle is defined as a car, truck, van, bus, recreational vehicle, semi-trailer truck, motorcycle, construction machinery, agricultural machinery or other land-based motorized vehicle such as an all-terrain vehicle, a go-kart, a dune buggy or a snowmobile.

### TRENDS IN MOTOR VEHICLE THEFT

### Number of stolen vehicles has doubled over the last 10 years

In 1996, there were 178,580 motor vehicle thefts reported to the police, meaning that approximately one in every 100 registered vehicles in Canada was stolen that year. This crime is now one of the most frequently perpetrated Criminal Code violations, accounting for one in every 10 reported property crimes.

Motor vehicle theft is one of the few property crimes to have been increasing in recent years. In 1996, police reported 1,043 thefts for every 100,000 registered motor vehicles¹, compared to 573 in 1988 (Figure 1, Table 1).

# Canada's vehicle theft rate ranks one of the lowest among industrialized countries

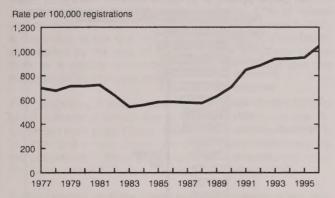
The problem of motor vehicle theft is international in scope. Information on the extent of this crime in other countries is available from the recent International Crime Victimization Survey, which was conducted in 1996 to survey a number of industrialized nations regarding their experiences with crime during 1995 (Hung, 1996).

Among the countries surveyed, Canada ranked as one of the lowest in terms of motor vehicle thefts. In 1995, 18 out of every 1,000 Canadian vehicle owners experienced a motor vehicle theft, compared to a rate of 33 per 1,000 owners in England and high rates in Scotland (26), the United States (22) and France (21).

<sup>&</sup>lt;sup>1</sup> See Table 5 for registration counts used in this report.

Figure 1

### Motor vehicle theft rate. Canada, 1977-1996



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

|                  | ers who experienced a motor<br>le theft in 1995 |
|------------------|---|
| Country          | Rate per 1,000 owners                           |
| England          | 33  |
| Scotland         | 26  |
| United States    | 22  |
| France           | 21  |
| Northern Ireland | 19  |
| Canada           | 18  |
| Sweden           | 18  |

Source: Jan J.M. Van Djik and Pat Mayhew (1996). Criminal Victimization in the Industrialized World: Key Fiondings of the 1996 International Crime Surveys. Ministry of Justice, The Netherlands.

### British Columbia reported highest rate of motor vehicle theft

With over 35,000 motor vehicle thefts reported in 1996, British Columbia's rate (1.627 per 100.000 registered vehicles) was the highest among the provinces (Table 2, Figure 2). Manitoba, which had reported the highest rate during the previous two years, ranked second. Newfoundland continued to report the lowest rate, followed by Prince Edward Island.

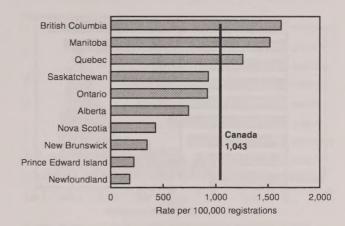
Nine of the ten provinces followed the national trend of an increase in motor vehicle thefts in 1996; only Prince Edward Island reported a decline (-11%) (Table 2).

Manitoba's vehicle theft rate has increased substantially since 1992. From 1992 to 1993 alone, its rate more than doubled. Over the last five years, Manitoba's rate has almost tripled, climbing from 543 vehicles stolen per 100,000 registrations to 1,518 (Table 2).

Figure 2



### Motor vehicle theft by province, 1996



Source: Table 2.

Nova Scotia and Saskatchewan reported the greatest increases in 1996. While Nova Scotia's rate jumped 30% over 1995, Saskatchewan reported an increase of over 20% for the third year in a row.

### Vancouver has highest rate among nine largest metropolitan areas

Of the nine largest census metropolitan areas2, only Québec City, Toronto and Edmonton reported rates of motor vehicle theft per 100,000 population<sup>3</sup> lower than the national average (Table 3 and Figure 3). Vancouver and Winnipeg reported the highest. Among Canada's smaller census metropolitan areas, Regina reported the highest rate which was double that of Sudbury, the city with the second highest rate (Figure 4). St. John's and Saint John reported the lowest rates of the smaller cities. Of all census metropolitan areas, Regina reported the highest rate in 1996.

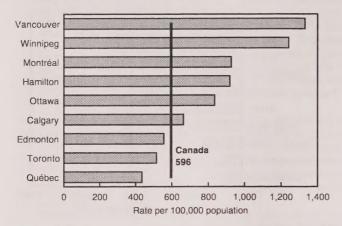
There is a wide variation in rates among cities. For example, the theft rate in Québec City was one-third that of Vancouver. There are many reasons that could explain the differences in rates, such as: the city's location being favourable to the operation of theft rings; the city is facing certain social or economic issues; or, the city's police and community responses to crime. For instance, rates may be high in Vancouver because of to their close proximity to ports that can be used for exporting stolen vehicles, whereas high rates in Winnipeg are mostly due to joyriding by members of youth gangs.

<sup>&</sup>lt;sup>2</sup> A census metropolitan area (CMA) is a large urban core (over 100,000 population) together with adjacent urban and rural areas that have a high degree of economic and social integration.

<sup>3</sup> Rates for census metropolitan areas are calculated per 100,000 residents as counts of motor vehicle registrations are not available at this geographical

Figure 3

# Motor vehicle theft, Census Metropolitan Areas with populations of 500,000 and over, 1996



Source: Table 3

Over the last five years, large increases have been reported in Winnipeg (+234%), Regina (+155%), Hamilton (+141%) and London (+99%). In contrast, rates have decreased in St. John's (-40%), Edmonton (-32%), Saint John (-31%), Sudbury (-31%) and Thunder Bay (-25%) (Table 3).

# CHARACTERISTICS OF MOTOR VEHICLE THEFT

### Sport-utility vehicles are frequent targets of thieves

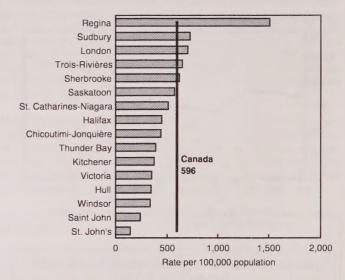
In 1996, cars accounted for almost two-thirds (64%) of all vehicles stolen; minivans, sport-utility vehicles and trucks accounted for a further 28%, motorcycles for 3%, and all other motor vehicles (e.g. snowmobiles, construction machinery) for the remaining 5%. The fastest-growing types of vehicles for car thieves have been passenger vans and sport-utility vehicles. Thefts of these types of vehicles have increased by 59% over the last five years, compared to an 18% increase in car thefts. To put this increase in perspective, however, the number of passenger vans on Canada's roads has increased 84% over the last five years and the number of sport-utility vehicles has grown 22%.4

The type of vehicle targeted by a thief depends on their motive (Clarke and Harris, 1992; Spencer, 1992). For instance, a thief looking for a joyride will likely be attracted to a high performance vehicle. On the other hand, a thief looking to make a profit on the black market will target a vehicle that can easily be sold in its entirety, has popular accessories, or has expensive or rare parts.

Generally, the types of vehicles with the highest claim frequencies in 1996 were sport-utility vehicles, two-door coupes and passenger vans.<sup>5</sup> The motor vehicles least likely to be stolen were station wagons, 4-door sedans and pick-up trucks.

Figure 4

# Motor vehicle theft, census metropolitan areas with populations of 100,000 to 499,999, 1996



Source: Table 3.

### Theft rings

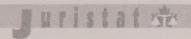
Studies suggest that, over the past few years, stolen vehicles have developed into an illicit market operated by members of organized rings (Talon, 1996; Tremblay et al., 1992). A ring may be defined as a loosely organized illegal business in which those involved are seeking fast but illegal profits. While some thieves may steal cars for joyriding or to gain a get-away car, ring members are motivated by financial gain.

To be resold, a stolen vehicle must undergo an identity change; having been declared stolen by its owner, it can no longer be driven lawfully. The identity change involves the quick alteration or removal of the Vehicle Identification Number (VIN). The VIN may be altered in a number of ways (Talon, 1996). For example, the VIN may be partially or completely sanded off and replaced with new figures. One current practice among offenders is to obtain the VIN of a vehicle that has been declared a "write-off". Once a vehicle with the same characteristics (e.g. make, year and colour) as the stolen car is found, the VIN of the stolen car is replaced with that of the damaged car.

A car stolen by ring members is usually sold immediately, sometimes to a buyer who may have been identified even before the theft (Talon, 1996). Its parts may be sold to legal businesses such as garages and recycling or scrap yards that buy low-cost used parts. In some cases, entire vehicles may be exported to other parts of Canada, the United States or overseas.

<sup>&</sup>lt;sup>4</sup> Vehicle Information Centre of Canada (VICC) report "How cars measure up, 1995-96." The VICC is an independent organization funded by the Canadian vehicle insurers who, collectively, underwrite almost 100 percent of all the automobile insurance in Canada.

<sup>5</sup> Vehicle Information Centre of Canada.



# Clearance rate for motor vehicle theft is low and few vehicles are recovered

Of all property crimes that came to the attention of police in 1996, 22% were cleared either by a charge being laid or "cleared otherwise". In comparison, only 12% of motor vehicle thefts reported to the authorities were cleared. This is likely due to the fact that a stolen vehicle is often found abandoned by the side of a road without any trace of the thief, or is quickly dismantled, making the vehicle and the accused difficult to track down.

The proportion of stolen cars that are never recovered is a good indicator of the number of vehicles stolen each year by organized theft rings (Talon, 1996; Clarke and Harris, 1992). In 1996, one in four stolen cars (26%) were never found by the authorities. When stolen vehicles are recovered, most are found within 48 hours (Morrison and Kong, 1994).

### Half of motor vehicle thefts take place in parking lots

Fifty-two percent of motor vehicle thefts reported by a sample of 154 police agencies in 1996 took place in parking lots (Revised UCR Survey). Parking lots are the most popular targets of thieves as they present an assembly of desirable vehicles and little chance of being detected (Brantingham and Brantingham, 1994). Other common locations included vehicles parked at the side of roads or highways (18%) or at the owner's residence (18%).

# Vehicle theft cost the Canadian insurance industry \$600 million in 1996

It is estimated that theft of automobiles and their components cost the Canadian insurance industry almost \$600 million in 1996, compared to \$500 million in 1995.8 Costs increased across all regions of Canada and were highest in Québec and British Columbia. These costs are ultimately paid by consumers through higher insurance premiums. In 1996, vehicle theft accounted for 51% of the amount paid by insurers for "comprehensive claims" (i.e. those involving fire, vandalism, theft or natural catastrophes) on 1995 model year vehicles.9

# PERSONS ACCUSED OF MOTOR VEHICLE THEFT

#### More than 4 in 10 persons charged are youths

According to police statistics, 43% of those charged with vehicle theft in 1996 were youths aged 12 to 17. More specifically, data from a sample of police departments

<sup>6</sup> An incident "cleared otherwise" means an accused person was identified by police, but no charge was laid due to various reasons such as: the accused was under 12; the accused was already charged for other crimes; police discretion, etc.

<sup>7</sup> Insurance Crime Prevention Bureau (Toronto, Ontario), 1997.

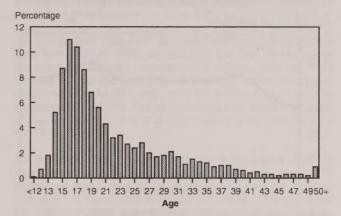
8 Vehicle Information Centre of Canada

<sup>9</sup> Data were only available for 1995 model year vehicles.

<sup>10</sup> An accused is a person who has been identified as suspect in an incident and against whom a charge either has been laid or could be laid in connection with that incident.

#### Figure 5

# Persons accused of motor vehicle theft by age, 1996



Source: Non-random sample of 154 police agencies accounting for 47% of the national volume of crime. The data are not nationally representative

reporting to the Revised UCR survey show that most accused <sup>10</sup> persons were older youths and young adults: almost half were aged 15 to 19 years (Figure 5).

#### Females charged are younger than males charged

Of all those charged with motor vehicle theft in 1996, 92% were male. Although females accounted for only 8% of total persons charged, they were much more likely to be youths: 61% of females were aged 12 to 17, compared to 42% of males.

### THEFT FROM MOTOR VEHICLES

### Theft from motor vehicles continues to fall

Theft from motor vehicles includes the theft of objects within a vehicle (e.g. radio, compact disks, clothing), as well as the theft of vehicle parts or accessories (e.g. wheels, hood ornament, steering wheel). In 1996, the rate of thefts from motor vehicles decreased for the fifth consecutive year, 1% below the 1995 rate (Table 1). This downward trend follows an increase from 1989 to 1991 (Figure 6) and mirrors the recent decline seen in most property crimes.

Among the provinces, British Columbia has reported the highest rate of thefts from motor vehicles for the past 10 years. For the second year in a row, New Brunswick reported the lowest rate, one-tenth that of British Columbia (Table 4).

In 1996, car stereos and other electronic devices were most coveted by thieves (23%), followed by personal belongings such as clothing or luggage (14%), and motor vehicle accessories or parts (13%) (Revised UCR Survey). Other items stolen included personal papers (i.e. identification, passports, vehicle papers) (8%), money (7%), machinery and tools (6%), sporting goods (4%), photographic equipment (2%), office-type equipment (2%) and bicycles (2%).

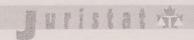
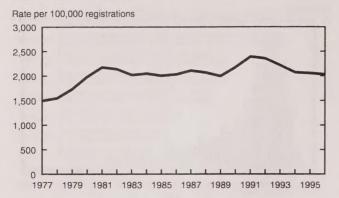


Figure 6



### Thefts from motor vehicles, Canada, 1977-1996



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. Statistics Canada.

Compared to motor vehicle theft, theft from vehicles is less frequently reported to police. Results from the International Crime Victimzation Survey indicate that 61% of Canadian victims of "theft from a motor vehicle" reported the incident to police, compared to 88% of victims of "motor vehicle theft" (Hung, 1996). The decision to lodge a complaint depends very much on the significance of the case: of those victims of "theft from a motor vehicle" who did not report to the police, over half stated it was because the incident was not serious enough (57%). Of those who did report to the police, they most frequently did so in order to receive compensation from their insurance company (40%). Other reasons included a feeling of duty to do so (32%), an attempt to recover their property (28%), and a desire to see the offender punished for their crime (14%).<sup>11</sup>

### PREVENTION OF MOTOR VEHICLE THEFT

Over the past few years, the police and the general public have combined their efforts to implement crime prevention programs designed to reduce car theft. As an example, many police departments in Canada have set up anti-theft programs involving visible stickers on the side or rear windows of cars. By placing this sticker in their vehicle, the owner is asking the police to stop the car when it is being driven between midnight and 6:00 a.m. and to check the driver's identification. The reason for this is that the majority of motor vehicle thefts occur in the early morning when most people are not driving their vehicle (Clarke and Harris, 1992).

Another measure taken to reduce motor vehicle theft is the identification of methods to check the registration of dismantled vehicles (Ogrodnik and Paiement, 1992). For example, many educational campaigns for vehicle owners encourage owners to engrave identification numbers on their vehicles. One particular campaign consists of scheduling a day during the year for all drivers to mark their serial numbers on the parts and windows of their vehicles to make it more difficult for offenders to resell a vehicle or its parts.

A National Stolen & Wrecked Vehicle Monitoring Program is scheduled to be implemented in each jurisdiction early in 1998. Approximately 90% of all vehicles in Canada will be on this program. The VIN numbers of stolen vehicles will be flagged to prevent the registration of these vehicles in jurisdictions. Vehicles that have been previously written off (salvage, rebuilt, non-repairable) will also be identified through mandatory reporting by insurance companies.<sup>12</sup>

In response to increased exporting by organized car theft rings, the police community has developed a number of projects to deal with this problem, many of them international in scope. One of the first examples involving Canada was a project called the "Control of Overseas Export and Fencing of Stolen Vehicles", set up in 1993. Members involved in this project included the Montréal Urban Community Police Department, the Sûreté du Québec and Canada Customs.

To combat the exportation of vehicles stolen on the Pacific Coast, a similar project called "Controlled Enforcement of Automobiles Stolen for Export" was formed in January 1996 by the Royal Canadian Mounted Police, Canada Customs and Ports Canada Police.

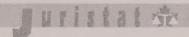
As a result of coming under criticism from the law enforcement community and the general public for their lack of security features in vehicles, manufacturers are now working with police and insurance companies to design more effective security features. One such feature consists of a coded chip inserted in the ignition key. If anyone attempts to start the vehicle with a faulty key, or one that is not coded, the fuel system is interrupted. Some manufacturers have integrated alarm systems and start-prevention devices in some of their models to make them more difficult to steal. Aside from efforts made by manufacturers, there are currently a number of devices on the market which owners can buy to reduce the risks of a vehicle being stolen, including bars to lock steering wheels and a variety of alarm systems. To encourage consumers to protect their vehicles, some insurance companies are offering discounts to clients with vehicle alarm systems.

One relatively new product on the market is a locating system designed to prevent vehicle theft for the purpose of export. This system uses satellite technology to detect stolen vehicles. Cars are equipped with a remote control device on which owners can enter an access code that deactivates the locating system and starts the car. If the system is not deactivated by the driver, a signal will be automatically transmitted to the satellite to alert the locating system. This system will then advise the closest police department. This acts as a disincentive to "professional" thieves.

Legal steps can also be taken to reduce crime. For example, owners of recycling businesses may be required to keep a detailed registry of vehicles and parts in stock, including their origin and destination. Any owner not recording all transactions may face sanctions.

<sup>11</sup> Percentages add to more than 100% as respondents were allowed multiple responses

<sup>&</sup>lt;sup>12</sup> Canadian Police Chief Newsletter, Summer '97, Canadian Association of Chiefs of Police.



### **METHODOLOGY**

Uniform Crime Reporting (UCR) Survey - The Canadian Centre for Justice Statistics, in co-operation with the policing community, collects police-reported crime statistics through the Uniform Crime Reporting (UCR) Survey. The UCR survey produces a continuous historical record of crime and traffic statistics reported by every police agency in Canada since 1962. UCR data reflect reported crime that has been substantiated through police investigation. Information collected by the survey includes the number of criminal incidents, the clearance status of those incidents and persons-charged information. The UCR survey is considered to be a summary or aggregate type census, with data available for nearly 100 separate criminal offences. The number of motor vehicle thefts and thefts from motor vehicles presented in this Juristat are based on the results of this survey.

Revised UCR Survey - In 1984, the UCR survey was redeveloped to expand the information collected. This new survey, called the Revised UCR survey, is a micro data survey that allows detailed examinations of accused and victim characteristics, as well as characteristics of the incident itself. Information in this Juristat on specific ages of accused persons, the status of accused persons (i.e. charged versus not charged), location of incident and property type stolen is based on the results of this survey. In 1996, there were 154 police agencies from six provinces reporting to the Revised UCR survey. The incidents contained in the 1996 Revised UCR data base are distributed as follows: 39% from Québec, 38% from Ontario, 10% from Alberta, 8% from British Columbia, 4% from Saskatchewan, and 1% from New Brunswick. Data from this non-representative sample accounted for 47% of the national volume of crime.

Motor Vehicle Registrations - The Transportation Division at Statistics Canada collects data on road motor vehicle registrations annually. The information is gathered by means of a questionnaire from the ten provincial and two territorial government departments responsible for the registration of road motor vehicles or the issuance of drivers' licenses or dealers' permits. In order to improve the quality of the data, in 1995 all provinces and territories were required to provide a count of "vehicles having a valid registration at year end". The new "year-end" method of counting affected Nova Scotia, New Brunswick, Manitoba and British Columbia as they used to report on a transactional basis. The "year end" method is more accurate as it does not over count the number of vehicles on the road. For example, if within the same year an individual were to register one vehicle, de-register it and then register a different vehicle, two registered motor vehicles would be counted under the "transactional" method. As the individual only ever had one vehicle on the road at one time, this method over-counts the number of vehicles on the road during the year. Under the "year-end" method, only the vehicle registered at year-end would be counted. More importantly, when a vehicle owner moves from one province to another, under the "year end" method, their vehicle will be counted only by the province in which he or she resides come the end of the year and will not be counted by two provinces.

For short-term comparability, Transportation Division revised their data back to 1991 based on the new method. For the purpose of this *Juristat* and to allow for long-term comparability in the rate of motor vehicle thefts, the Canadian Centre for Justice Statistics (CCJS) estimated the data for these four provinces for the years 1977 to 1990. For each of these provinces, the average annual difference between the old and revised data was calculated and then applied to the data from 1977 to 1990. Specifically, the 1977 to 1990 data for Nova Scotia was decreased by 12.4%; data for New Brunswick was decreased by 13.3%; data for Manitoba was decreased by 21.7%. These estimated data were then used to re-calculate the number of registrations at the national level for 1977 to 1990.

As the 1996 data on motor vehicle registrations was not available in time for the release of this report, the CCJS estimated these data by applying the percentage change between 1994 and 1995 to the 1995 number. This was done for each province and territory and the Canada estimate equals the sum of all provincial and territorial estimates.

1996 International Crime Victimization Survey (ICVS) – The ICVS is a survey on criminal victimization that was conducted in over 30 countries worldwide, including industrialized and developing countries. It was coordinated by the Ministry of Justice of the Netherlands and the United Nations Interregional Crime and Justice Research Institute. In Canada, the survey was jointly funded by the Ministry of the Solicitor General and the Canadian Centre for Justice Statistics, while the Department of Justice led the coordination of the survey. A total of 2,134 persons aged 16 years or older were randomly selected across Canada and were interviewed by telephone about their experiences with crime during 1995, their feelings of safety, security measures taken, their reasons for reporting or not reporting to police, and their perception of the justice system.

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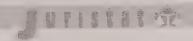


Table 1

### Motor vehicle crimes, Canada, 1986-1996

|                   |  |         | Motor Vehicle Theft                  |                                      |         | Theft from Motor Veh                 | icles                                |
|-------------------|--|---------|--------------------------------------|--------------------------------------|---------|--------------------------------------|--------------------------------------|
| Year              | Motor vehicle registrations <sup>1</sup> | Number  | Rate per<br>100,000<br>registrations | Annual % change in rate <sup>2</sup> | Number  | Rate per<br>100,000<br>registrations | Annual % change in rate <sup>2</sup> |
| 1986              | 14,642,715                               | 85,585  | 584                                  | 0.5%                                 | 297,502 | 2,032                                | 1.4%                                 |
| 1987              | 15,083,650                               | 87,061  | 577                                  | -1.2%                                | 318,308 | 2,110                                | 3.9%                                 |
| 1988              | 15,607,313                               | 89,454  | 573                                  | -0.7%                                | 322,517 | 2,066                                | -2.1%                                |
| 1989              | 15,969,205                               | 100,208 | 628                                  | 9.5%                                 | 318,573 | 1,995                                | -3.5%                                |
| 1990              | 16,206,306                               | 114,082 | 704                                  | 12.2%                                | 352,675 | 2,176                                | 9.1%                                 |
| 1991              | 16,443,808                               | 139,345 | 847                                  | 20.4%                                | 393,518 | 2,393                                | 10.0%                                |
| 1992              | 16,580,960                               | 146,801 | 885                                  | 4.5%                                 | 390,887 | 2,357                                | -1.5%                                |
| 1993              | 16,716,476                               | 156,685 | 937                                  | 5.9%                                 | 370,603 | 2,217                                | -6.0%                                |
| 1994              | 16,970,447                               | 159,469 | 940                                  | 0.3%                                 | 351,385 | 2,071                                | -6.6%                                |
| 1995              | 17,047,635                               | 161,696 | 948                                  | 0.9%                                 | 350,176 | 2,054                                | -0.8%                                |
| 1996 <sup>3</sup> | 17,127,430                               | 178,580 | 1,043                                | 9.9%                                 | 347,890 | 2,031                                | -1.1%                                |

<sup>&</sup>lt;sup>1</sup> Data are collected by Transportation Division, Multimodal Transport Section, Statistics Canada.

In 1995, the method by which motor vehicle registrations were counted was revised to eliminate over-counting by Nova Scotia, New Brunswick, Manitoba and British Columbia. Transportation Division revised the numbers back to 1991 according to the new methodology.

The CCJS then estimated 1986-1990 for these four provinces to render these data comparable to post-1990 data. Please refer to the methodology section for details.

Percentage changes based on non-rounded rates.

<sup>3</sup> As the 1996 data on motor vehicle registrations were not available for the release of this report, 1996 data were estimated by the CCJS. Please refer to the methodology sections for details.



Table 2

### Motor vehicle theft by province/territory, 1991-1996

| Province/territory             | 19911           | 1992            | 1993            | 1994            | 1995            | 1996²           | Percent change<br>in rate<br>1995-1996 <sup>3</sup> | Percent change<br>in rate<br>1991-1996 <sup>3</sup> |
|--------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|---|---|
| Newfoundland                   |                 |                 |                 |                 |                 |                 |   |   |
| number<br>rate*                | 774<br>253      | 574<br>184      | 572<br>185      | 476<br>148      | 477<br>153      | 553<br>184      | 20.0%   | -27.3%  |
| rato                           | 200             | 104             | 100             | 140             | 100             | 101             | 20.070  | 21.070  |
| Prince Edward Island<br>number | 300             | 327             | 258             | 249             | 233             | 209             |   |   |
| rate*                          | 347             | 371             | 285             | 273             | 253             | 224             | -11.2%  | -35.3%  |
| Nova Scotia                    |                 |                 |                 |                 |                 |                 |   |   |
| number                         | 1,983           | 1,886           | 1,777           | 1,670           | 1,797           | 2,409           |   |   |
| rate                           | 378             | 354             | 331             | 313             | 328             | 428             | 30.5%   | 13.4%   |
| New Brunswick                  |                 |                 |                 |                 |                 |                 |   |   |
| number                         | 1,620           | 1,448           | 1,371           | 1,412           | 1,433           | 1,492           | E 00/   | C F0/   |
| rate*                          | 373             | 325             | 320             | 319             | 330             | 349             | 5.9%  | -6.5%   |
| Quebec                         |                 |                 |                 |                 |                 |                 |   |   |
| number<br>rate*                | 47,752<br>1,317 | 49,335<br>1,347 | 47,850<br>1,294 | 43,712<br>1,168 | 42,936<br>1,136 | 48,071<br>1,258 | 10.8%   | -4.5%   |
| Tate                           | 1,317           | 1,047           | 1,234           | 1,100           | 1,100           | 1,230           | 10.070  | -4.370  |
| Ontario<br>number              | 37,537          | 40,709          | 48,700          | 55,122          | 57,187          | 58,419          |   |   |
| rate*                          | 617             | 661             | 781             | 874             | 903             | 919             | 1.7%  | 48.9%   |
| Manitoba                       |                 |                 |                 |                 |                 |                 |   |   |
| number                         | 3,640           | 3,758           | 7,932           | 9,555           | 9,538           | 10,231          |   |   |
| rate*                          | 523             | 543             | 1,149           | 1,372           | 1,392           | 1,518           | 9.0%  | 190.4%  |
| Saskatchewan                   |                 |                 |                 |                 |                 |                 |   |   |
| number                         | 3,618           | 3,410           | 3,371           | 4,300           | 5,297           | 6,494           |   |   |
| rate*                          | 514             | 485             | 482             | 593             | 743             | 928             | 24.9%   | 80.5%   |
| Alberta                        |                 |                 |                 |                 |                 |                 |   |   |
| number<br>rate*                | 16,881<br>900   | 20,436<br>1,088 | 18,718<br>980   | 16,071<br>831   | 12,577<br>650   | 14,321<br>740   | 13.9%   | -17.8%  |
| rale                           | 900             | 1,000           | 900             | 031             | 030             | 740             | 13.970  | -17.070   |
| British Columbia               | 04.440          | 04.000          | 05.000          | 00.404          | 00.500          | 05.747          |   |   |
| number<br>rate*                | 24,416<br>1,197 | 24,230<br>1,179 | 25,288<br>1,223 | 26,184<br>1,237 | 29,532<br>1,369 | 35,747<br>1,627 | 18.8%   | 36.0%   |
|                                | 7,107           | 7,170           | 1,220           | 1,207           | 1,000           | 1,027           | 10.070  | 00.070  |
| Yukon Territory<br>number      | 227             | 185             | 312             | 283             | 219             | 188             |   |   |
| rate*                          | 556             | 728             | 1,137           | 876             | 676             | 578             | -14.4%  | 4.1%  |
| Northwest Territories          |                 |                 |                 |                 |                 |                 |   |   |
| number                         | 574             | 503             | 536             | 435             | 470             | 446             |   |   |
| rate*                          | 2,112           | 1,864           | 2,006           | 1,628           | 1,696           | 1,552           | -8.5%   | -26.5%  |
| Canada                         |                 |                 |                 |                 |                 |                 |   |   |
| number                         | 139,345         | 146,801         | 156,685         | 159,469         | 161,696         | 178,580         |   |   |
| rate*                          | 847             | 885             | 937             | 940             | 948             | 1,043           | 9.9%  | 23.1%   |

<sup>\*</sup> Rate per 100,000 registered motor vehicles. Data on registered motor vehicles provided by Transportation Division, Multimodal Transport Section, Statistics Canada.

For 1991, the sum of the numbers for the provinces and territories will not equal the number for Canada because, prior to 1992, data from the CN and CP police were submitted as a whole and not according to jurisdiction.

<sup>&</sup>lt;sup>2</sup> As the 1996 data on motor vehicle registrations were not available for the release of this report, 1996 data were estimated by the CCJS. Please refer to the methodology sections for details.

Percentage changes based on non-rounded rates.

### Motor vehicle thefts by Census Metropolitan Area (CMA), 1996

| CMA   | Population <sup>1</sup>   | Motor<br>vehicle<br>thefts   | Rate per<br>100,000<br>population                               | Percent change in rate 1995-1996                     | Percent change in rate 1991-1996                         |
|---|---|--|---|--|--|
| Population 500,000 and over   |   |  |   |  |  |
| Vancouver Winnipeg² Montréal Hamilton Ottawa Calgary Edmonton Toronto Québec                                      | 1,883,679<br>680,285<br>3,365,160<br>657,230<br>781,147<br>853,711<br>890,771<br>4,410,269<br>699,035 | 25,077<br>8,450<br>31,211<br>6,039<br>6,519<br>5,666<br>4,957<br>22,733<br>3,040 | 1,331<br>1,242<br>927<br>919<br>835<br>664<br>556<br>515<br>435 | 19%<br>5%<br>12%<br>-5%<br>-16%<br>5%<br>32%<br>16%  | 29%<br>234%<br>-7%<br>141%<br>46%<br>-18%<br>-32%<br>44% |
| Population 250,000 to 499,999 <sup>3</sup>  | 035,033   | 3,040  | 733   |  | -12/0  |
| London<br>St. Catharines-Niagara <sup>4</sup><br>Halifax<br>Kitchener <sup>4</sup><br>Victoria<br>Hull<br>Windsor | 420,614<br>422,608<br>344,135<br>427,054<br>315,168<br>258,160<br>294,063                             | 2,957<br>2,155<br>1,538<br>1,596<br>1,099<br>885<br>988                          | 703<br>510<br>447<br>374<br>349<br>343<br>336                   | -17%<br>21%<br>59%<br>-22%<br>-16%<br>-6%<br>-11%    | 99%<br>61%<br>41%<br>34%<br>4%<br>-3%                    |
| Population 100,000 to 249,999   |   |  |   |  |  |
| Regina Sudbury Trois-Rivières Sherbrooke Saskatoon Chicoutimi-Jonquière Thunder Bay Saint John St. John's         | 199,243<br>166,661<br>142,028<br>148,925<br>223,524<br>167,854<br>130,006<br>129,380<br>175,249       | 3,007<br>1,209<br>922<br>923<br>1,279<br>736<br>503<br>309<br>252                | 1,509<br>725<br>649<br>620<br>572<br>438<br>387<br>239<br>144   | 35%<br>8%<br>30%<br>14%<br>12%<br>33%<br>-30%<br>58% | 155%<br>-31%<br>37%<br>8%<br>65%<br>30%<br>-25%<br>-31%  |
| Canada  | 29,963,600  | 178,580  | 596   | 9%   | 20%  |

nil or zero
 Motor vehicle registrations are not available at the CMA level. Population counts are based on estimates provided by Statistics Canada, Census and Demography Statistics, Demography Division Population estimates as of July 1st: preliminary postcensal estimates for 1996.

<sup>&</sup>lt;sup>2</sup> Winnipeg Police have discovered an under-reporting of certain crimes, including motor vehicle theft, that has been occurring in recent years.

The magnitude of this under-reporting of motor vehicle thefts is approximately one percent.

<sup>3</sup> The Oshawa Census Metropolitan Area (CMA) is excluded from this table due to methodological concerns with the matching of the police force jurisdictional boundaries and the CMA

<sup>&</sup>lt;sup>4</sup> Populations have been adjusted to match the police force's jurisdictional boundaries.

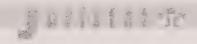


Table 4

### Theft from motor vehicles by province/territory, 1996

|                       |  |         | Theft fro                      | m Motor Vehicles                              |   |
|-----------------------|--|---------|--------------------------------|---|---|
| Province/territory    | Motor vehicle registrations <sup>1</sup> | Number  | Rate per 100,000 registrations | Percent change in rate 1995-1996 <sup>2</sup> | Percent change in rate 1991-1996 <sup>2</sup> |
| Newfoundland          | 301,139                                  | 1,994   | 662                            | 15.2%   | -25.1%  |
| Prince Edward Island  | 93,137                                   | 937     | 1,006                          | 9.9%  | -11.6%  |
| Nova Scotia           | 562,885                                  | 6,768   | 1,202                          | -11.1%  | -41.5%  |
| New Brunswick         | 427,380                                  | 2,010   | 470                            | -20.9%  | -58.5%  |
| Quebec                | 3,820,100                                | 51,014  | 1,335                          | 6.3%  | -25.2%  |
| Ontario               | 6,356,840                                | 121,715 | 1,915                          | -7.8%   | -12.4%  |
| Manitoba              | 674,073                                  | 13,232  | 1,963                          | -12.0%  | -20.7%  |
| Saskatchewan          | 699,524                                  | 11,088  | 1,585                          | 9.9%  | -10.6%  |
| Alberta               | 1,934,650                                | 30,550  | 1,579                          | -4.1%   | -41.6%  |
| British Columbia      | 2,196,455                                | 107,975 | 4,916                          | 5.5%  | 5.1%  |
| Yukon Territory       | 32,513                                   | 432     | 1,329                          | -13.4%  | 64.5%   |
| Northwest Territories | 28,734                                   | 175     | 609                            | -10.2%  | -11.0%  |
| Canada                | 17.127.430                               | 347.890 | 2.031                          | -1.1%   | -15.1%  |

<sup>&</sup>lt;sup>1</sup> As the 1996 data on motor vehicle registrations were not available for the release of this report, 1996 data were estimated by the CCJS.

Please refer to the methodology sections for details.

Percentage changes based on non-rounded rates.

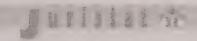


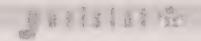
Table 5

### Road motor vehicle registrations, Canada and the provinces/territories, 1986-1996

|                               | 1986       | 1987       | 1988       | 1989       | 1990       | 1991       | 1992       | 1993       | 1994       | 1995       | 1996²      |
|-------------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Newfoundland                  | 273,192    | 286,792    | 307,049    | 301,152    | 305,851    | 306,482    | 312,040    | 309,921    | 322,652    | 311,710    | 301,139    |
| Prince Edward Island          | 78,619     | 82,362     | 82,531     | 88,084     | 84,716     | 86,507     | 88,216     | 90,537     | 91,310     | 92,219     | 93,137     |
| Nova Scotia <sup>1</sup>      | 442,297    | 431,643    | 448,383    | 496,399    | 528,546    | 525,225    | 532,689    | 536,222    | 533,182    | 547,832    | 562,885    |
| New Brunswick <sup>1</sup>    | 369,791    | 378,595    | 391,537    | 394,736    | 412,442    | 433,941    | 446,040    | 428,495    | 442,538    | 434,893    | 427,380    |
| Quebec                        | 3,145,116  | 3,317,472  | 3,432,035  | 3,527,761  | 3,580,765  | 3,624,479  | 3,663,513  | 3,697,068  | 3,742,306  | 3,781,003  | 3,820,100  |
| Ontario                       | 5,367,277  | 5,572,927  | 5,804,105  | 5,943,747  | 6,000,322  | 6,083,956  | 6,157,627  | 6,231,948  | 6,304,626  | 6,330,679  | 6,356,840  |
| Manitoba <sup>1</sup>         | 666,105    | 681,833    | 675,786    | 680,430    | 683,766    | 696,502    | 691,603    | 690,481    | 696,600    | 685,244    | 674,073    |
| Saskatchewan                  | 778,295    | 734,747    | 755,350    | 736,638    | 735,964    | 703,536    | 703,770    | 699,870    | 725,649    | 712,467    | 699,524    |
| Alberta                       | 1,739,472  | 1,758,059  | 1,820,141  | 1,850,771  | 1,861,662  | 1,875,212  | 1,878,707  | 1,910,612  | 1,935,076  | 1,934,863  | 1,934,650  |
| British Columbia <sup>1</sup> | 1,741,424  | 1,794,714  | 1,841,488  | 1,896,686  | 1,958,262  | 2,039,935  | 2,054,368  | 2,067,163  | 2,117,486  | 2,156,609  | 2,196,455  |
| Yukon Territory               | 20,886     | 22,675     | 27,077     | 27,072     | 30,952     | 40,851     | 25,408     | 27,436     | 32,301     | 32,407     | 32,513     |
| Northwest Territories         | 20,241     | 21,831     | 21,831     | 25,729     | 23,058     | 27,182     | 26,979     | 26,723     | 26,721     | 27,709     | 28,734     |
| Canada <sup>1</sup>           | 14,642,715 | 15,083,650 | 15,607,313 | 15,969,205 | 16,206,306 | 16,443,808 | 16,580,960 | 16,716,476 | 16,970,447 | 17,047,635 | 17,127,430 |

The 1986-1990 data provided by Transportations Division, Multimodal Section, Statistics Canada were revised by the CCJS to render these more comparable to post-1990 data. Please refer to the methodology section for more details.
 As the 1996 data on motor vehicle registrations were not available for the release of this report, 1996 data were estimated by the CCJS. Please refer to the methodology sections for details.

Source: Transportation Division, Multimodal Transport Section, Statistics Canada.



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### MISSING AND ABDUCTED CHILDREN

by Bryan Reingold\*

## Highlights



- In 1996, according to the RCMP, approximately 56,000 cases of children under 18 years of age were reported missing to Canadian police. The majority of these were runaways (78%). Abductions account for less than 1% of all reported missing children.
- The majority of children reported missing are 14 years of age or older (72%).
- According to the Uniform Crime Reporting (UCR) Survey, almost 1,000 children were victims of an attempted or completed abduction in Canada in 1996. Two-thirds of these were parental abductions and one-third were non-parental abductions.
- Between 1983 and 1992, the rate of child abductions increased by 65% (11.8 to 19.5 per 100,000 children under 16). However, over the past 4 years the rate decreased by 23% (15.1 in 1996).
- The majority of those accused of abduction were male (60%).
- Females were more often victims of abduction (58%), particularly in non-parental abductions (66%).

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Statistics

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February 1998 ISSN 0715-271X

Published by authority of the Minister responsible for Statistics Canada.

#### @ Minister of Industry, 1998

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### Introduction

Canadian children are reported missing more often than we would like to believe. According to data released by the RCMP, approximately 56,000 children were reported missing in 1996, an average of 153 children a day. A child not returning from school at the normal time, a child wandering off without telling the parent, or a child not being returned after a scheduled visit with a parent or family member - any missing child is of great concern to the searching parent(s) and to society as a whole.

Missing children are a concern for a wide variety of reasons. Most important is that a missing child is at risk, either from themselves or at the hands of someone else. For instance, a study on prostitution found that many runaways were at risk of becoming involved in prostitution (Ministry of Alberta Family and Social Services, 1997). Furthermore, the social costs relating to missing children are incalculable, including the emotional burden to the searching parent(s), family and friends, and the emotional costs to the victim. There are also the financial costs relating to the involvement of social services, police, health care systems, and in some instances the courts and judiciary.

This *Juristat* will highlight available data to provide a perspective on missing children in Canada and show what is being done to assist in their location and recovery. It will focus more specifically on parental and non-parental abductions.

## Missing Children

In 1996, the Canadian Police Information Centre (CPIC) computer network entered 56,000 children under the age of 18 as reported missing (See Box "Missing Children's Registry"). Between 1992 and 1996, approximately 300,000 children were reported missing.

#### Missing Children's Registry

When a child under the age of 18 is reported missing to any Canadian police agency, a record is entered in the CPIC system. The RCMP Missing Children's Registry receives a copy of all records entered into CPIC relating to missing children. Information is also available by probable cause (the suspected reason that the child is missing). The record is removed from CPIC when the child is located and/or recovered. This count of entries into and removals from the system is the basis for the information on missing children reported by the RCMP.

By far the greatest number of children reported missing are runaways. Consistently, runaway children account for approximately 78% of all children reported missing (see Figure 1). In addition, in 1996 16% were reported missing for unknown reasons and 3% for "other" reasons (including children who have not returned to a detention home or other institution for young offenders). It is believed that the vast majority of these children are also runaways. Other causes include: wandered off or lost (2%); abductions (both parental and stranger, less than 1%); and, accidents (instances where the disappearance is attributed to a boating accident, flying, hiking, or avalanche where the body has not been recovered, 0.1).

More female children are reported missing than males (57%). Only in cases of suspected accidents or where the child has wandered off are girls less likely to be reported missing (35% and 48%, respectively) (see Figure 2). Almost one-half of the children reported missing were between 14 and 15 years of age. A further 23% were 16 to 17, 21% were 12 to 13, and the remainder were less than 11 years old (See Figure 3).

It is not possible to say with certainty what proportion of children reported missing each year are returned to a parent. In a given year, over 90% of missing children records are removed from CPIC (RCMP, 1991 to 1995). However, it should be

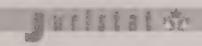


Figure 1

# RCMP Missing Children's Registry Children reported missing by probable cause, 1996

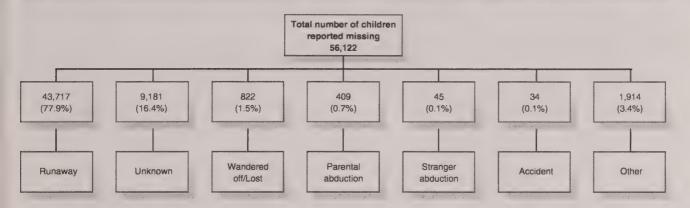
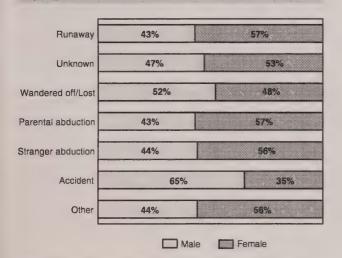


Figure 2

### RCMP Missing Children's Registry, 1996 Probable cause by gender



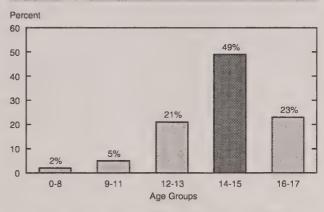
Source: Royal Canadian Mounted Police, Missing Children's Registry.

noted that removal from the system does not necessarily mean that the child has been returned to a parent. It means that the child has been located. Also, some records will be removed in the year in which they are entered, while others relate to reports from previous years.

Over a six year period (1991-1996), children ran away at a rate of almost 117 a day or an average of 5 reported every hour. Although many of these children are located within a short period of time, many who are not located may be living on the streets. According to data provided by the RCMP, approximately 55% of reported runaways are repeat runaways (RCMP, 1994).

Figure 3

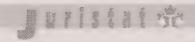
### RCMP Missing Children's Registry, 1996 Age profile of reported missing children



Source: Royal Canadian Mounted Police, Missing Children's Registry.

### **Abductions**

Bill C-127 was proclaimed into law in 1983. This Bill made revisions to the *Criminal Code of Canada*, clearly distinguishing between parental abduction with a custody order and parental abduction without a custody order. In addition, there are sections dealing with the abduction of a child under 14 and abduction of an unmarried child under 16. Still in force is Canada's kidnapping section of the *Criminal Code* (see Box "Legislation on Abductions"). From 1983 onwards, Canadian police forces began reporting occurrences of child abduction to the Canadian Centre for Justice Statistics (CCJS) through the Uniform Crime Reporting (UCR) Survey, providing an accurate description of child abductions occurring in Canada.



### Legislation on Abductions

Abduction of person under sixteen

S.280 (1) Every one who, without lawful authority, takes or causes to be taken an unmarried person under the age of sixteen years out of the possession of and against the will of the parent or guardian of that person or of any person who has the lawful care and charge of that person is guilty of an indictable offence and is liable to imprisonment for a term not exceeding five years.

Abduction of person under fourteen

S.281 Every one who, not being the parent, guardian or person having the lawful care or charge of a person under the age of fourteen years, unlawfully takes, entices away, conceals, detains, receives or harbours that person with the intent to deprive a parent or guardian, or any other person who has the lawful care or charge of that person, of the possession of that person is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years.

Abduction in contravention of a custody order

S.282 (1) Every one who, being the parent or guardian or person having the lawful care or charge of a person under the age of fourteen years, takes, entices away, conceals, detains, receives or harbours that person, in contravention of the custody provisions of a custody order in relation to that person made by a court anywhere in Canada, with intent to deprive a parent or guardian or any other person who has the lawful care or charge of that person, of the possession of that person is guilty of (a) an indictable offence and is liable to imprisonment for a term not exceeding ten years; or

(b) an offence punishable on summary conviction.

(2) Where a count charges an offence under subsection (1) and the offence is not proven only because the accused did not believe that there was a valid custody order but the evidence does not prove an offence under section 283, the accused may be convicted of an offence under section 283.

Abduction

S.283 (1) Every one who, being the parent of guardian or person having the lawful care or charge of a person under the age of fourteen years, takes, entices away, conceals, detains, receives or harbours that person, whether or not there is a custody order in relation to that person made by a court anywhere in Canada, with the intent to deprive a parent or guardian, or any other person who has the lawful care or charge of that person, of the possession of that person is guilty of

(a) an indictable offence and is liable to imprisonment for a term not exceeding ten years; or

(b) an offence punishable on summary conviction.

(2) No proceedings may be commenced under subsection (1) without the consent of the Attorney General or counsel instructed by him for that purpose.

Kidnapping - Forcible Confinement

S.279 (1) Every one who kidnaps a person with intent

(a) to cause him to be confined or imprisoned against his will,

(b) to cause him to be unlawfully sent or transported out of Canada against his will, or

(c) to hold him for ransom or to service against his will, is guilty of an indictable offence and liable to imprisonment for life.
 (2) Every one who, without lawful authority, confines, imprisons or forcibly seizes another person is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years.

#### **Defences Related to Abduction**

- S.284 No one shall be found guilty of an offence under sections 281 to 283 if he establishes that the taking, enticing away, concealing, detaining, receiving or harbouring of any young person was done with the consent of the parent, guardian or other person having the lawful possession, care or charge of that young person.
- S.285 No one shall be found guilty of an offence under sections 280 to 283 if the court is satisfied that the taking, enticing away, concealing, detaining, receiving or harbouring of any young person was necessary to protect the young person from danger of imminent harm or if the person charged with the offence was escaping from danger of imminent harm.
- S.286 In proceedings in respect of an offence under sections 280 to 283, it is not a defence to any charge that a young person consented to or suggested any conduct of the accused.

According to the UCR survey, between 1983 and 1992, the total abduction rate per 100,000 children under 16 years of age (including attempted and completed offences) increased by 65%, from 11.8 to 19.5 (Figure 4). However, after that it decreased every year. In 1996, the total abduction rate had declined to 15.1, down 23% from 1992. Consistently, parental abductions account for approximately 60% of all abductions, and non-parental for the other 40% (see Table 1). The trends for both parental and non-parental abductions are similar to that for total abductions.

"Parental abductions" may be classified into two offences: in contravention of a custody order (where a custody order for the child was in effect and the non-custodial parent abducted the child); and where there is no custody order in effect. Similarly, "non-parental abductions" may be classified into two offences: abduction of a child under 14; and abduction of an unmarried child under 16. Non-parental abductions refer to someone who does not have legal care, control, or guardianship of the child, such as a grandparent, uncle or aunt, family acquaintance, or stranger.

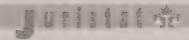
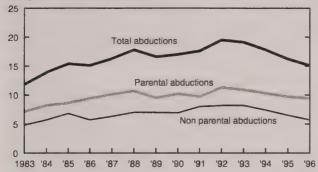


Figure 4

# Abducted children in Canada, 1983 to 1996

Rate per 100,000 children under 16

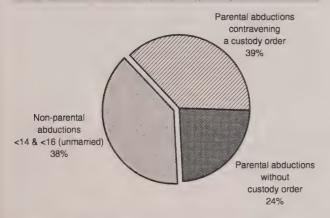


Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

In 1996, there were 964 child abductions reported to the UCR Survey (attempted and completed), a rate of almost 3 per day. Almost two-thirds of these abductions were parental, either with or without a custody order (see Figure 5). Non-parental abductions accounted for the remainder.

Figure 5

# Type of abductions in Canada, 1996



**Source:** Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

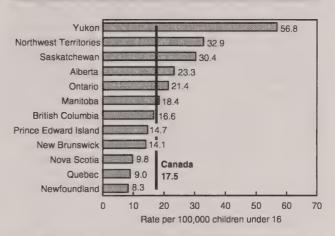
The national trend in abductions in Canada, peaking in the early 1990's and then gradually declining, is influenced by reports from Ontario. In 1996, Ontario accounted for 43% of the Canadian total. Rates in other jurisdictions are more variable because of the small numbers reported.

Over the years, most jurisdictions have experienced a decline in the rate in the late 1980's and early 1990's. The exception to this is New Brunswick, where the rate increased between 1987 and 1995, but decreased in 1996 (see Table 2). Figure 6 provides the average abduction rate over 5 years for each jurisdiction (1992 to 1996). The Yukon had the highest

average rate of abduction over the 5 years (56.8 per 100,000 children under 16). Newfoundland and Quebec had the lowest rates (8.3 and 9.0, respectively).

Figure 6

# Provincial/territorial abduction rates, 5 year average, 1992 to 1996



**Source:** Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

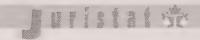
The incident-based Uniform Crime Reporting (UCR II) survey is able to provide a broader picture of abductions of children in Canada than the aggregate UCR survey. The UCR II captures information not only on victims and accused persons (where known) but on the nature of criminal incidents as well. As of 1996, the UCR II data represented approximately 47% of incidents¹ reported to police in Canada and, as a result, are not representative of Canada, or any particular region. However, these data do provide a very rich and useful source of information.

The relationship of the accused is already defined by the *Criminal Code of Canada* offence definitions. Therefore in all cases of parental abductions, the accused was a parent. In cases of non-parental abduction, the largest proportion of accused were strangers (45%), followed by casual acquaintances (17%).

Of those accused of abduction, 60% were male and 40% were female. However, female children were more often the victim of abduction (58%), particularly in non-parental abductions (66%). In cases of parental abductions where there was no custody order in effect, a larger proportion of victims were boys (58%).

The majority of all abductions reported in 1996 took place in a residence (59%). This is not surprising since many abductions involve parents. A further 16% occurred outdoors (e.g., parking lot or street).

<sup>&</sup>lt;sup>1</sup> This data set, with the exception of Quebec, is composed primarily of urban police departments. 39% of the incidents are currently from Quebec, 38% from Ontario, 10% from Alberta, 8% from British Columbia, 4% from Saskatchewan and less than 1% from New Brunswick.



A review of the literature on child abductions (Kiedrowski, Jayewardene, & Dalley, 1994), provides a profile of parental abductors. According to this report, the majority of parental abductions are short term, often resolved within seven days. However, mothers who abduct their children tend to keep them for a longer period of time than fathers who abduct.

The Adult Criminal Court Survey (ACCS)2 provides information on those who have been charged with abduction. In 1995/96, 135 abduction cases came before the provincial/ territorial courts in nine jurisdictions. Of these, almost 60% were either stayed or withdrawn. A further 27% were found guilty, 7% were sent to Superior Court, while in 4% the charges were waived, the person was found unfit to stand trial, or there was a Charter of Rights challenge. Only 3 of the 135 cases resulted in an acquittal. Excluding the cases that were sent to Superior Court, there was an overall conviction rate of 30% for abduction cases. Parental abduction where there was no custody order had the highest conviction rate (39%), followed by parental abduction in contravention of a custody order (31%). Non-parental abductions of unmarried persons under 16 had a conviction rate of 28%, and non-parental abduction of persons under 14 had the lowest conviction rate (17%).

Persons found guilty of abduction were most likely to be sentenced to a period of probation. More than 60% of the guilty findings resulted in a probation order, most often for terms of between 12 and 24 months. For those who were sentenced to a period of incarceration (24%), the length of imprisonment ranged from less than 1 month to 2 years less 1 day. In cases where a fine was imposed, the amount of the fine ranged between \$100 and \$300.

### International Abductions

International abductions can be as close as an hour away for most Canadians. The Canada-United States border is within easy commuting distance for the vast majority of Canadians. However, international abductions stretch around the world. The issue of international parentally-abducted children has been raised in the House of Commons³. In 1996, a case of a non-custodial father taking his child to another country was brought to the floor of the House. Although the abducting parent had committed a crime in Canada, he could not be apprehended because there was no formal extradition agreement between Canada and the other nation. Also, the other nation was not a signatory of the Hague Convention on the Civil Aspects of International Child Abduction (see Box "The Hague Convention on the Civil Aspects of International Child Abduction").

To assist in the recovery process from other countries, Canada has ratified the Hague Convention on the Civil Aspects of International Child Abduction. However, application of the Hague Convention does not guarantee the return of the abducted child. It is a legal civil process that asks a foreign signatory nation to respect a Canadian custody order or custody rights to ensure that the best interests of the child are taken into account. The Department of Justice Canada is the federal central authority for Canada, with each province and territory having its own central authority dealing with international child abductions. According to the Department of Justice Canada, since 1993, there have been slightly more than 300 requests for assistance in the return of an abducted child, and an additional 100 requests for assistance in gaining access4. Of requests for the return of a child, more than one-half were made by Canadian parents or caregivers. Almost two-thirds of these requests were made by fathers seeking the return of their child. Because of the application of the Hague Convention, since 1993 more than 100 children have been returned.

#### The Hague Convention on the Civil Aspects of International Child Abduction

This convention is an agreement between ratifying nations to respect the rights of custody and of access under the law of the contracting states.

The removal or retention of a child is to be considered wrongful where:

- it is in breach of rights of custody to a person, an institution or any other body, either jointly or alone, under law of the State in which the child was habitually resident immediately before the removal or retention; and
- at the time of removal or retention those rights were actually exercised, either jointly or alone, or would have been so
  exercised but for the removal or retention.

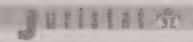
Every effort is made to insure the custody order is recognized but it is also within the powers of the authorities not to return the child when:

- a) it is demonstrated that the child is now settled in his/her new environment;
- b) the person, institution or other body having care of the person of the child was not actually exercising the custody rights at the time of the removal or retention;
- there is grave risk that his or her return would expose the child to physical or psychological harm or otherwise place the child in an intolerable situation;
- d) the judicial or administrative authority may also refuse to order the return of the child if it finds that the child objects to being returned and has attained an age and degree of maturity at which it is appropriate to take account of his/her views.

<sup>&</sup>lt;sup>2</sup> Currently, coverage of the ACCS is limited to Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon and the Northwest Territories.

<sup>&</sup>lt;sup>3</sup> House of Commons, HANSARD, Tuesday, October 1, 1996.

Department of Justice, Legal Services, Foreign Affairs provided a general compilation of data from provincial/territorial authorities up to 1996.



Data from other nations<sup>5</sup> reveal that Canada is not alone in its concern over domestic or international child abductions and the issue of missing children. In Japan, more than 23,000 children under the age of 19 were reported missing in 1995, most between 15 and 19. In Australia there were 469 persons reported abducted or kidnapped in 1995, 54% under the age of 18. In the U.S.A. in 1995, 969,000 missing persons were reported to the Federal Bureau of Investigation's (FBI) National Crime Information Center (NCIC). The FBI estimates that approximately 85% to 90% of these were juveniles.

#### **Canadian Police Information Centre**

Canadian police widely make use of the Canadian Police Information Centre (CPIC) computer network to share information with other police agencies within Canada and in the United States. Children reported missing to a police agency are entered into the CPIC system with all pertinent information related to the child, such as name, weight, height, date last seen, date of birth, sex, hair and eye colour, distinguishing marks, etc. CPIC is maintained by the RCMP on behalf of Canadian police agencies.

International cases are brought to the attention of the RCMP Missing Children's Registry, which provides assistance to any law enforcement or searching agency needing assistance in Canada or to Canadian agencies searching for a missing child believed to be outside Canada. Utilizing their contacts with the police community through INTERPOL and through direct contact with other law enforcement agencies and non-governmental agencies around the world, the RCMP is an integral part of the location and recovery process. Their efforts are enhanced by the efforts of other law enforcement agencies such as the United States Border Patrol, United States Customs, the Federal Bureau of Investigation (FBI) and INTERPOL.

Children reported as abducted from the United States, and who are believed to be in Canada or heading towards Canada, are brought to the attention of the RCMP or local police authorities, who take an active role in the investigation. Canada Customs sets up border alerts in an attempt to return the persons being sought. Canada Customs has become an important link in the efforts to locate and recover children being taken out of, or into, Canada. Border points display photographs of missing children in the hope that the child is recognized by a Customs officer or a traveller. Customs has also established International Project Return, which is part of a Joint Forces Operation with the RCMP Missing Children's Registry, Immigration Canada and the Department of Foreign Affairs and International Trade. Since 1986, Customs and Immigration officers have been responsible for returning over 639 missing children, including both those who have been abducted and those who have run away.

# What is Being Done To Recover Missing Children

Many agencies, both governmental and non-governmental, are providing material to make the public more aware of the nature of child abductions and what can be done to reduce their incidence. Streetproofing, and making children more aware of the dangers that may be present, are strongly

promoted. By understanding the nature of abductions, as well as how they occur and when, the opportunity for abductions to occur should diminish. Child Find Canada and their associated chapters, the Missing Children Society of Canada, the Missing Children's Network of Canada, Victims of Violence, Operation Go Home and the National Missing Children's Locate Centre are participating private sector agencies that specialize in the location and recovery process through the distribution of photos, counselling for searching parents, public awareness campaigns, and information distribution. In addition, agencies such as the National Center for Missing and Exploited Children (NCMEC) of the United States provide educational material which is useful for parents teaching their children how to protect themselves, and for professionals involved in child abuse and abduction situations.

Both the RCMP and the NCMEC have the capability of developing photo age enhancements to help locate missing children who have aged since they were reported missing. Age enhanced photos are useful to depict what the child *may* look like after having been missing over time.

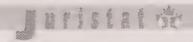
The media also helps make the public aware of sensitive issues such as missing children, and often informs the public when a child is missing. The business sector has helped with public awareness by displaying photos on milk cartons and public education promotions by retailers.

The Internet has recently become a medium to promote public awareness, child safety and assistance in the recovery of children. There are a number of World Wide Web (WWW) sites that have been created to promote public awareness of missing children and issues related to the abduction and disappearance of children (Appendix A). Canadian, American and other international sites have been established to provide the public with everything from pictures of missing children and their abductors to information on streetproofing. The RCMP, the National Center for Missing and Exploited Children, Child Find Canada, the Missing Children's Society of Canada, to name but a few, are making use of the Internet to help the public become more aware of missing children and concerns related to those children.

## Methodology

Abduction data are provided by the Uniform Crime Reporting (UCR) survey, collected since 1962. Kidnapping data are not included because the aggregate UCR cannot distinguish whether the person kidnapped is a child. The aggregate UCR survey records the number of incidents reported to the police. It includes the number of reported offences and the number of actual offences (excluding those that are unfounded), the number of offences cleared by charge, the number of persons charged by sex and by an adult/youth breakdown. It does not include victim characteristics. Unless otherwise mentioned, analysis in this report is based on aggregate survey counts.

<sup>&</sup>lt;sup>5</sup> Data between Canada and other nations is not comparable. Reporting practices may vary as well as definitions used.



The revised UCR survey (UCR II) captures detailed information on individual criminal incidents reported to police, including characteristics of victims, accused persons and the incident. In 1996, detailed information was collected from 154 departments in six provinces through the revised UCR Survey. These data represent 47% of the national volume of actual *Criminal Code* crimes. The reader is cautioned that these data are not nationally representative.

Data on missing children under the age of 18 are captured from reported activity of the Canadian Police Information Centre computer (CPIC) network (see Boxes "Missing Children's Registry" and "Canadian Police Information Centre"). This network counts the number of cases (entries and removals) from the system. It was not designed as a statistical data base but serves as an investigative tool for police. Therefore, although the source of data is the same

as the UCR Survey, the reporting of information is for different purposes. Also, the CPIC data provide the probable cause for the child being missing, which may not turn into an offence reported on the UCR survey.

The Adult Criminal Court Survey (ACCS) provides data on persons who have gone through the court system for abduction. The objective of the ACCS is to develop and maintain a national adult court criminal court database of statistical information on appearances, charges, and cases. The survey is intended to be a census of federal and provincial/territorial statute charges and municipal by-law infractions heard in provincial/territorial courts in Canada. The ACCS collects detailed data on completed charges, appearances, and cases for federal statute offences, and aggregate data on completed and pending charges, appearances, and cases for both federal and provincial/territorial statutes and municipal by-laws.

Table 1

## Abductions<sup>1,2</sup>, Number of Offences and Rate Per 100,000 Under 16 Years of Age, Canada, 1983 to 1996

| *    |     |                     |              |          |     |      |      |      |             | ** *          |      |      |           |          |
|------|-----|---------------------|--------------|----------|-----|------|------|------|-------------|---------------|------|------|-----------|----------|
|      |     |                     | Parental At  | ductions |     |      |      |      | Non-Parenta | al Abductions |      |      | Total Abo | tuctions |
|      |     | avening<br>dy Order | Non-C<br>Ord |          | To  | otal | Unde | r 14 | Und         | er 16         | Tota | al   |           |          |
|      | #   | Rate                | #            | Rate     | #   | Rate | #    | Rate | #           | Rate          | #    | Rate | #         | Rate     |
| 1983 | 242 | 4.1                 | 177          | 3.0      | 419 | 7.1  | 225  | 3.8  | 57          | 1.0           | 282  | 4.8  | 701       | 11.8     |
| 1984 | 316 | 5.3                 | 170          | 2.9      | 486 | 8.2  | 261  | 4.4  | 77          | 1.3           | 338  | 5.7  | 824       | 13.9     |
| 1985 | 331 | 5.6                 | 175          | 3.0      | 506 | 8.6  | 338  | 5.7  | 66          | 1.1           | 404  | 6.8  | 910       | 15.4     |
| 1986 | 340 | 5.8                 | 215          | 3.6      | 555 | 9.4  | 276  | 4.7  | 61          | 1.0           | 337  | 5.7  | 892       | 15.1     |
| 1987 | 347 | 5.9                 | 249          | 4.2      | 596 | 10.1 | 321  | 5.4  | 50          | 0.8           | 371  | 6.3  | 967       | 16.3     |
| 1988 | 393 | 6.6                 | 248          | 4.2      | 641 | 10.7 | 361  | 6.1  | 57          | 1.0           | 418  | 7.0  | 1,059     | 17.8     |
| 1989 | 360 | 6.0                 | 217          | 3.6      | 577 | 9.5  | 367  | 6.1  | 58          | 1.0           | 425  | 7.0  | 1,002     | 16.6     |
| 1990 | 373 | 6.1                 | 252          | 4.1      | 625 | 10.2 | 356  | 5.8  | 65          | 1.1           | 421  | 6.9  | 1,046     | 17.0     |
| 1991 | 349 | 5.6                 | 252          | 4.1      | 601 | 9.7  | 417  | 6.7  | 77          | 1.2           | 494  | 8.0  | 1,095     | 17.6     |
| 1992 | 419 | 6.7                 | 286          | 4.6      | 705 | 11.3 | 385  | 6.2  | 130         | 2.1           | 515  | 8.2  | 1,220     | 19.5     |
| 1993 | 420 | 6.6                 | 269          | 4.3      | 689 | 10.9 | 377  | 6.0  | 138         | 2.2           | 515  | 8.2  | 1,204     | 19.1     |
| 1994 | 426 | 6.7                 | 230          | 3.6      | 656 | 10.3 | 340  | 5.3  | 133         | 2.1           | 473  | 7.4  | 1,129     | 17.8     |
| 1995 | 398 | 6.2                 | 221          | 3.5      | 619 | 9.7  | 315  | 4.9  | 101         | 1.6           | 416  | 6.5  | 1,035     | 16.2     |
| 1996 | 374 | 5.8                 | 228          | 3.6      | 602 | 9.4  | 284  | 4.4  | 78          | 1.2           | 362  | 5.7  | 964       | 15.1     |

Uniform Crime Reporting Survey data include attempted and completed incidents.

<sup>&</sup>lt;sup>2</sup> Each offence is equal to one victim.

Provincial/Territorial Abductions<sup>12</sup>, Number of Offences and Rate Per 100,000 Under 16 Years of Age, 1983 to 1996

Table 2

|  | .3        |          |   |          |         |              |     |                               |          |         |     |      |      |      |      |      |       |       |      |      |          |      |     |      |     |          |
|--|-----------|----------|---|----------|---------|--------------|-----|-------------------------------|----------|---------|-----|------|------|------|------|------|-------|-------|------|------|----------|------|-----|------|-----|----------|
|  | Can.      |          | Nfld.                                   | d.       | P.E.I.  | T            | Z   | NS                            | NB       | 0       | One |      | Ont. |      | Man. |      | Sask. | تد    | Alta |      | BC       | E)   | Yuk |      | NWT | <u>-</u> |
|  | *         | Rate     | #                                       | Rate     | #       | Rate         | #   | Rate                          | *        | Rate    | #   | Rate | *    | Rate | *    | Rate | #     | Rate  | *    | Rate | *        | Rate | *   | Rate | *   | Rate     |
|  |           |          |   |          |         |              |     |                               |          |         |     |      |      |      |      |      |       |       | 1    |      |          | •    |     |      |     |          |
| 1983   | 701       | 11.8     | 00                                      | 4.6      | ŀ       | 1            | 34  | 16.2                          | 11       | 0.9     | 96  | 6.5  | 569  | 13.2 | 59   | 23.0 | 46    | 18.00 | 75   | 12.4 | <b>5</b> | 14.5 | ı   | ı    | ı   | l        |
| 1984   | 824       | 13.9     | 13                                      | 7.7      | 4       | 12.5         | 29  | 13.9                          | 18       | 10.0    | 86  | 6.7  | 316  | 15.4 | 47   | 18.3 | 09    | 22.8  | 101  | 16.7 | 134      | 20.5 | 1   | 1    | ı   | ı        |
| 1985   | 910       | 15.4     | 6                                       | 5.5      | 4       | 12.5         | 300 | 18.4                          | 15       | 4.00    | 109 | 7.4  | 335  | 16.3 | 64   | 24.9 | 70    | 26.4  | 126  | 20.8 | 132      | 20.2 | 1   | 1    | 00  | 42.6     |
| 1986   | 892       | 15.1     | 12                                      | 7.5      | 5       | 15.8         | 30  | 14.7                          | 100      | 10.3    | 103 | 7.1  | 317  | 15.4 | 72   | 28.0 | 75    | 28.3  | 132  | 21.7 | 121      | 18.6 | ı   | ı    | 4   | 21.4     |
| 1987   | 196       | 16.3     | 16                                      | 10.3     | 1       | ı            | 35  | 17.3                          | 11       | 6.4     | 139 | 9.6  | 332  | 15.9 | 82   | 31.9 | 8     | 33.9  | 126  | 20.8 | 129      | 19.7 | 1   |      | 1   | ı        |
| 1988   | 1,059     | 17.8     | 17                                      | 11.3     | 1/2     | 15.9         | 28  | 14.0                          | 17       | 10.0    | 146 | 10.0 | 383  | 18.0 | 80   | 31.0 | 9/    | 28.9  | 154  | 25.2 | 145      | 21.7 | 1   | ŀ    | 9   | 32.0     |
| 1989   | 1,002     | 16.6     | 100                                     | 12.3     | œ       | 25.3         | 30  | 15.0                          | 22       | 13.0    | 154 | 10.5 | 364  | 16.7 | 19   | 26.0 | 59    | 22.6  | 147  | 23.6 | 124      | 10.1 | 1   | 1    | 9   | 31.1     |
| 1990   | 1,046     | 17.0     | 17                                      | 11.9     | 7       | 22.1         | 25  | 12.5                          | 23       | 13.7    | 158 | 10.6 | 383  | 17.2 | 73   | 28.2 | 82    | 31.8  | 157  | 24.7 | 112      | 15.9 | 1   | 1    | 9   | 29.9     |
| 1991   | 1,095     | 17.6     | 14                                      | 10.0     | 1.      | 1            | 21  | 10.5                          | 21       | 12.6    | 148 | 6.6  | 497  | 22.0 | 99   | 25.4 | 91    | 35.7  | 113  | 17.4 | 113      | 15.7 | 1   | 1    | 7   | 33.4     |
| 1992   | 1,220     | 19.5     | ======================================= | 8.1      | 9       | 19.2         | 17  | 5.5                           | 23       | 14.0    | 157 | 10.4 | 260  | 24.5 | 51   | 19.7 | 79    | 31.1  | 166  | 25.3 | 138      | 18.7 | ı   | ı    | 11  | 51.2     |
| 1993   | 1,204     | 19.1     | 9                                       | 4.5      | 7       | 22.4         | 19  | 9.6                           | 24       | 14.8    | 135 | 6.8  | 548  | 23.6 | 47   | 18.1 | 78    | 30.9  | 179  | 27.1 | 143      | 19.0 | 7   | 89.4 | =   | 9.09     |
| 1994   | 1,129     | 17.8     | 13                                      | 10.1     | 2       | 16.0         | 18  | 9.1                           | 17       | 10.6    | 138 | 9.1  | 525  | 22.3 | 37   | 14.2 | 72    | 28.6  | 149  | 22.5 | 145      | 18.8 | 5   | 65.7 | ν,  | 22.6     |
| 1995   | 1,035     | 16.2     | 11                                      | 00<br>00 | 1       | I            | 16  | 8.1                           | 31       | 19.5    | 131 | 8.7  | 457  | 19.2 | 09   | 22.9 | 9/    | 30.4  | 139  | 20.9 | 100      | 12.8 |     | 9.06 | 'n  | 22.3     |
| 1996   | 964       | 15.1     | 12                                      | 10.0     | 1       | 1            | 27  | 13.8                          | 18       | 11.5    | 115 | 7.7  | 417  | 17.4 | 45   | 17.2 | 77    | 31.0  | 137  | 20.5 | 107      | 13.5 | 1   |      | 4   | 17.7     |
| Sames Hafarm Prima Danadina Surney Canadian Centre for Justice | form Cris | no Bonor | ting Sun                                | Cana     | dian Co | otre for .tu |     | Statistics Statistics Canada. | atistics | Canada. |     |      |      |      |      |      |       |       |      |      |          |      |     |      |     |          |

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

1 Uniform Crime Reporting Survey data include attempted and completed incidents.

2 Each offence is equal to one victim.

- Figures are too small to be expressed.



# Appendix A Web Sites of Interest

www.statcan.ca Statistics Canada

www.rcmp-grc.gc.ca Royal Canadian Mounted Police

www.sgc.gc.ca Solicitor General of Canada

www.childcybersearch.org/rcmp/index.html
Royal Canadian Mounted Police, Missing Children's Registry

http://canada.justice.gc.ca/index.html Department of Justice Canada

http://canada.gc.ca Government of Canada

www.missingkids.org
The National Center for Missing and Exploited Children

www.childcybersearch.org Child Cybersearch CANADA

www.childfind.ca/content.hte Child Find Canada- Online

www.childcybersearch.org/mcsc Missing Children's Society of Canada www.alliance9000.com Missing Children's Network, Canada

www.childquest.org ChildQuest International

www.crime.org/links\_intern.html
International Crime Statistics Link Guide

www.ncjrs.org Criminal Justice statistics plus links to USA and international statistics

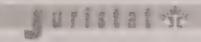
www.fbi.gov Federal Bureau of Investigation

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Ministry of Alberta Family and Social Services (1997). Children Involved in Prostitution: Report by the Task Force on Children Involved in Prostitution.

RCMP (1991 to 1995). Missing Children's Registry Annual Report.



### **Canadian Centre for Justice Statistics**

For further information, please contact the Canadian Centre for Justice Statistics, 19th floor, R.H. Coats Building, Ottawa, Ontario K1A 0T6 at (613) 951-9023, or call toll-free 1 800 387-2231, or fax 1(613) 951-6615. To order a publication, you may telephone (613) 951-7277 or fax (613) 951-1584 or internet: order@statcan.ca. You may also call 1 800 267-6677 (Canada and United States) toll-free. If you order by telephone, written confirmation is not required.

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|---------------|---|
|               | Canada : Faits saillants de 1994-1995   |

| Vol. 16 No. 8 | Adult Community Corrections in Canada: 1994-95 / Les services correctionnels communautaires pour adultes au |
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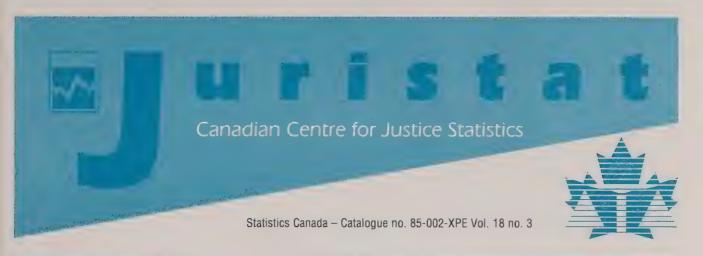
The Justice Data Factfinder / Recueil de données sur la justice

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Vol. 16 No. 9

| Vol. 16 No. 10 | Canadian Crime Statistics, 1995  |
|----------------|--|
| Vol. 16 No. 11 | Homicide in Canada - 1995  |
| Vol. 16 No. 12 | Criminal Harassment  |
| Vol. 17 No. 1  | Sentencing in Adult Provincial Courts-A Study of Nine Canadian Jurisdictions:1993 & 1994 |
| Vol. 17 No. 2  | Street Prostitution in Canada  |
| Vol. 17 No. 3  | Justice Spending in Canada   |
| Vol. 17 No. 4  | Adult Correctional Services in Canada, 1995-96   |
| Vol. 17 No. 5  | Crime in Major Metropolitan Areas, 1991-1995   |
| Vol. 17 No. 6  | Adult Criminal Court Statistics, 1995-1996   |
| Vol. 17 No. 7  | Weapons and Violent Crime  |
| Vol. 17 No. 8  | Canadian Crime Statistics, 1996  |
| Vol. 17 No. 9  | Homicide in Canada, 1996   |
| Vol. 17 No. 10 | Youth court statistics 1996-96 highlights  |
| Vol. 17 No. 11 | Assaults against children and youth in the family, 1996                                  |
| Vol. 17 No. 12 | Impaired Driving in Canada, 1996   |
| Vol. 17 No. 13 | The justice data factfinder  |
| Vol. 18 No. 1  | Motor vehicle theft in Canada - 1996   |





# **ADULT CORRECTIONAL SERVICES IN CANADA, 1996-97**

Micheline Reed1 Julian V. Roberts<sup>2</sup>

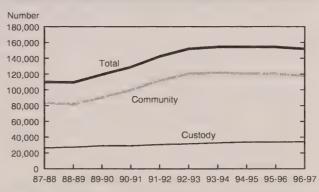
## Highlights

- After nearly a decade of rapid growth, Canada's adult correctional population has stabilized since 1993-94. On any given day, nearly 152,000 adults were incarcerated or under some form of community supervision in 1996-97, down almost 2% from a year earlier. Nearly eight in every ten of these people were on probation or parole. Despite the marginal drop, the average daily caseload in 1996-97 remained 38% higher than a decade ago.
- On any given day in 1996-97, approximately 34,167 adults were behind bars in Canada, an increase of just 382 people (1%) over the previous year. An average of 20,024 adults were in provincial/territorial institutions at any time during 1996-97, up 1.5% from the previous year. The average number of offenders in federal penitentiaries increased by almost 1% over the same period to 14,143.
- The typical offender serving a provincial/territorial sentence (under two years) was male, aged 31 years, convicted of a property offence, and serving a one month sentence. The typical federal offender (sentences of two years or more) was male, aged 36 years, convicted of robbery, and serving a 43 month sentence.
- One in four sentenced admissions to provincial/territorial custody was for failing to pay a fine.
- The vast majority of parolees serve their parole terms in the community without committing another criminal offence. Among federal parolees (the more serious offenders), less than 2% of parole terms were terminated for a violent criminal charge.
- Of the 92 inmate deaths in 1996-97, nearly one-half were suicides. The inmate suicide rate was more than twice that of the Canadian adult population.
- The proportion of admissions to federal institutions who are Aboriginal peoples is increasing: it was 15% in 1996-97 and 11% in 1991-92. Aboriginal peoples accounted for 16% of provincial sentenced admissions, up from 15% in 1991-92.
- While the custodial population remained virtually the same, the cost of housing an inmate for a year rose 3% from 1995-96 to average \$43,643 per inmate.

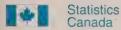
Correctional Services Program, Canadian Centre for Justice Statistics.

2 Professor of Criminology, University of Ottawa.

Average daily number of provincial/territorial and federal offenders in custody or under supervision in the community. 1987-88 to 1996-97

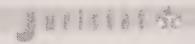


Source: Adult Corrections Survey, Canadian Centre for Justice Statistics, Statistics Canada



Statistique Canada





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February 1998 ISSN 0715-271X

Published by authority of the Minister responsible for Statistics Canada.

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### INTRODUCTION

When an offender is sentenced to confinement in a correctional facility, or to some community-based program, they come under the supervision of a correctional agency. These agencies will assume responsibility for implementing the sanctions imposed by the courts, assess the offender's needs (e.g. drug and alcohol treatment), and strive to minimize the offender's risk of re-offending.

The responsibility for administering corrections in Canada is shared between the federal and provincial/territorial governments. There are three distinct components to the Correctional population: remand prisoners3, offenders sentenced to custody, and offenders serving part or all of their sentences in the community. The federal government (Ministry of the Solicitor General Canada) is responsible for all offenders sentenced to a term of imprisonment of two years or more, and has jurisdiction over those same inmates who are then released into the community under some form of conditional release program (e.g., day parole, full parole). The provincial and territorial systems handle inmates serving a sentence of less than two years, including community-based sanctions such as probation. In addition, provincial and territorial systems are responsible for all persons held in remand, regardless of the seriousness of the crime committed. Correctional agencies thus assume responsibility for implementing sentences imposed by the courts. This responsibility includes ensuring that offenders comply with court-imposed conditions, and providing supervision and treatment to minimize the risk that offenders will re-offend once their sentences have been completed. Figure 2 presents an overview of the major events in the adult correctional system.

This *Juristat* will look at sentenced offenders who are serving a sentence either in a correctional facility or in the community. The size of these populations is affected by many variables. Changes in the crime rate will result in more or fewer cases being processed by the courts. This in turn will have an impact on the number of persons admitted to prison or to a period of probation. Changes in sentencing patterns as a result of evolving judicial attitudes towards sentencing alternatives (i.e., community service, restitution) may also have an effect on the correctional population. Finally, legislative reforms relating to the sentencing or parole systems will also determine the volume and nature of correctional populations. For example, recent federal legislation relating to the illegal use of firearms created mandatory 4-year minimum terms of imprisonment.

Over the past decade, correctional populations have increased considerably. A dramatic increase occurred between 1987-88 and 1992-93, when the average daily correctional population increased from 110,000 to 152,000 (+38%). However, the total correctional population declined for the third consecutive year in 1996-97.

This Juristat addresses a number of important questions, including the following: Have there been any changes in the correctional populations? What kinds of offenders are being sent to prison, and for what offences? Has there been any change in the profile of the average offender sentenced to custody? Are Aboriginal persons still over-represented in the correctional system? How many offenders are serving sentences in the community? Are correctional operating costs increasing?

The data summarized in this *Juristat* are drawn from the Adult Corrections Survey (ACS) which provides a comprehensive overview of the adult prison population, the population of offenders serving sentences in the community as well as operating costs. Additional information about the issues explored in this *Juristat* can be found in the annual report <u>Adult Correctional Services in Canada, 1996-97</u> (Catalogue No. 85-211XPE).

<sup>&</sup>lt;sup>3</sup> Remand prisoners are persons charged with a criminal offence and who are detained in custody awaiting a further court appearance. These persons have not been convicted or sentenced for an offence and can be held in detention for a number of reasons (e.g., offender is at risk to re-offend or not appear for their next court date).

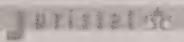
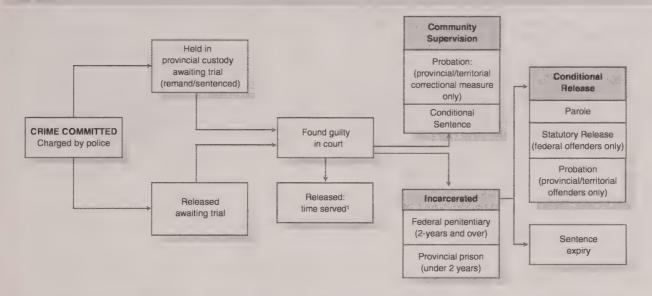


Figure 2

### An overview of events in the adult correctional system



An individual whose sentence approximates time already served in custody (i.e. while awaiting trial) is generally released by virtue of having already served their sentence.

Source: Canadian Centre for Justice Statistics, Statistics Canada.

Table 1

# Average Daily Count and Total Number of Admissions to Provincial/Territorial and Federal Corrections, 1987-88 to 1996-97

|         |         | Average   | daily counts |                             | Total number of admissions |           |         |                             |
|---------|---------|-----------|--------------|-----------------------------|----------------------------|-----------|---------|-----------------------------|
|         | Custody | Community | Total        | % change from previous year | Custody                    | Community | Total   | % change from previous year |
| 1987-88 | 26.634  | 83.318    | 109.952      | 2.8                         | 198.638                    | 64.651    | 263.289 | 2.9                         |
| 1988-89 | 27,466  | 81,859    | 109,325      | -0.6                        | 206,891                    | 63,893    | 270,784 | 2.8                         |
| 1989-90 | 29,150  | 90,314    | 119,464      | 9.3                         | 209,555                    | 68,792    | 278,347 | 2.8                         |
| 1990-91 | 29,233  | 99,658    | 128,891      | 7.9                         | 217,238                    | 76,000    | 293,238 | 5.3                         |
| 1991-92 | 30,723  | 111,682   | 142,405      | 10.5                        | 249,091                    | 89,691    | 338,782 | 15.5                        |
| 1992-93 | 31,709  | 120,116   | 151,825      | 6.6                         | 251,329                    | 91,902    | 343,231 | 2.3                         |
| 1993-94 | 32,803  | 121,650   | 154,453      | 1.7                         | 246,376                    | 94,609    | 340,985 | -0.7                        |
| 1994-95 | 33,759  | 120,542   | 154,301      | -0.1                        | 243,785                    | 93,077    | 336,862 | -1.2                        |
| 1995-96 | 33,785  | 120,411   | 154,196      | -0.1                        | 234,732                    | 90,082    | 324,814 | -3.6                        |
| 1996-97 | 34,167  | 117,683   | 151,850      | -1.5                        | 230,031                    | 89,248    | 319,279 | -1.6                        |

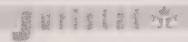
Source: Adult Corrections Survey, Canadian Centre for Justice Statistics, Statistics Canada.

#### Recent sentencing reforms

The most recent major reform to the sentencing process occurred in September 1996, when Bill C-41 became law. This act contained a number of sentencing reforms which are designed to protect the public, assist victims and instill a greater sense of responsibility in offenders. An additional objective of this Bill is to promote the use of alternatives to imprisonment. It has long been argued by various Commissions of Inquiry that Canada imprisons a large

number of offenders, and that a greater proportion could receive a community-based sentence. While the Canadian rate of incarceration (115 per 100,000 total population) is well below that of Russia (690), the United States (600), and South Africa (265), it exceeds the rate in England/Wales (100), France (95), Germany (85), Sweden (65), Japan (37)<sup>4</sup>, and many others.

<sup>&</sup>lt;sup>4</sup> Marc Mauer. Americans Behind Bars: U.S. and International Use of Incarceration, 1995. Washington, D.C.: The Sentencing Project.



An important policy objective of the federal government has been to promote the greater use of alternatives to imprisonment. Alternatives to imprisonment, where appropriate, could result in less crowded and safer prisons. As well, the criminal justice system could devote greater resources to the incarceration and treatment of offenders for whom imprisonment is a necessity.

#### Conditional sentences

An important provision of Bill C-41 was the creation of a new type of community-based alternative to imprisonment called a conditional sentence. If certain legal criteria are fulfilled, a judge may sentence to a conditional term of imprisonment an offender who would otherwise have been sent to prison. According to the terms of a conditional sentence, the offender will spend the term of imprisonment in the community, provided that he/she abides by conditions imposed by the court as part of the conditional sentence order. If the offender violates these conditions, he may be sent to prison to serve the balance of that sentence. The goal of the conditional sentence is to reduce, in a principled and safe way, the number of offenders being sent to prison.

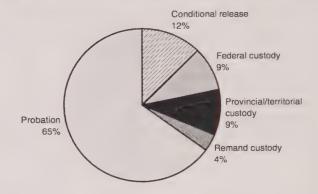
### TRENDS IN THE CORRECTIONAL POPULATION

Since the number of offenders in the correctional population varies from day to day (as inmates are released, and other prisoners admitted), correctional authorities conduct daily counts of inmates under their care. Daily counts are then used to calculate an annual average count. On any given day in 1996-97 an average of 151,850 adult offenders were in prison or under community supervision. Of this total, the majority (65%) were offenders on probation. A further 18% were in provincial/territorial or federal custodial facilities, 12% were on conditional release and the remainder (4%) were on remand (Figure 3).

Table 2

#### Figure 3

### Adult correctional population, 1996-97



**Source:** Adult Corrections Survey, Canadian Centre for Justice Statistics, Statistics Canada.

### Average number of offenders in prison stable

The average number of people in provincial/territorial facilities in 1996-97 was 20,024<sup>5</sup>, up 1.5% from the previous year. This includes 14,031 inmates sentenced to a period of custody, down 1.5% (218 inmates) from 1995-96. There were also 5,737 remand prisoners, up 9% (471 inmates) from the previous year. The average number of federal inmates in 1996-97 was 14,143 (Table 2), up 1% from the average number in the previous year (14,055). The historical trend in custodial populations is portrayed in Figure 1, from which it can be seen that the rise in the average daily number of persons in custody, which was apparent at the beginning of the decade, has now levelled off.

## Average Daily Count of Offenders in Provincial/Territorial and Federal Custody, 1996-97

| Jurisdiction                 | Sentenced count | % change<br>from previous<br>year | Remand<br>count | Other¹ | Total<br>offender<br>count <sup>2</sup> | % change<br>from previous<br>year | Rate<br>per 10,000<br>adults charged | % change<br>from previous<br>year |
|------------------------------|-----------------|-----------------------------------|-----------------|--------|---|-----------------------------------|--------------------------------------|-----------------------------------|
| Newfoundland                 | 281             | -11.9                             | 32              | -      | 313                                     | -11.8                             | 349                                  | -6.3                              |
| Prince Edward Island         | 71              | -26.0                             | 13              | 6      | 90                                      | -15.9                             | 364                                  | -21                               |
| Nova Scotia                  | 327             | -5.5                              | 78              | -      | 405                                     | -0.5                              | 197                                  | -11.7                             |
| New Brunswick                | 339             | -3.9                              | 54              | 7      | 400                                     | -2.8                              | <b>2</b> 77                          | -6.7                              |
| Quebec                       | 2,267           | -1.6                              | 1,158           | -      | 3,425                                   | -1.3                              | 198                                  | 0.5                               |
| Ontario                      | 4,819           | 2.8                               | 2,710           | 237    | 7,766                                   | 5.6                               | 272                                  | 8.8                               |
| Manitoba                     | 639             | -8.2                              | 340             | 5      | 985                                     | 0.01                              | 253                                  | -2.3                              |
| Saskatchewan                 | 980             | -9.9                              | 195             | -      | 1,175                                   | -7.3                              | 320                                  | -11.6                             |
| Alberta                      | 1,983           | -4.8                              | 487             | -      | 2,470                                   | -3.1                              | 334                                  | -7.7                              |
| British Columbia             | 1,961           | 1.5                               | 623             | -      | 2,584                                   | 6.2                               | 257                                  | -0.4                              |
| Yukon                        | 53              | -15.9                             | 17              | -      | 70                                      | -16.6                             | 457                                  | 1.3                               |
| Northwest Territories        | 311             | 11.9                              | 30              | -      | 341                                     | 7.6                               | 1,045                                | 20.9                              |
| Provincial/Territorial Total | 14,031          | -1.5                              | 5,737           | 255    | 20,024                                  | 1.5                               | 268                                  | 0.8                               |
| Federal Total                | 14,143          | 0.6                               |                 |        | 14,143                                  | 0.6                               | 269                                  | 2.7                               |

<sup>-</sup> nil or zero.

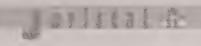
Source: Adult Corrections Survey, Canadian Centre for Justice Statistics, Statistics Canada.

<sup>5</sup> The total includes a small number of individuals held in temporary detention (255).

<sup>...</sup> figures not appropriate or applicable.

<sup>&</sup>lt;sup>1</sup> Includes temporary detention such as immigration detentions.

<sup>&</sup>lt;sup>2</sup> Columns may not add to totals due to rounding.



# Total number of admissions to prison or community supervision stable

Another way of looking at the correctional population is to examine the number of admissions. Admission data describe and measure the changing caseflow of correctional agencies over time. These data do not indicate the number of unique individuals using correctional services since the same person can be included several times in annual admission totals. For instance, a person held in custody before their trial (remand), could then be sentenced to nine months in prison, and later be released on parole to complete their sentence in the community. Admission data allow correctional administrators to monitor the workload associated with each individual (remand, sentenced to prison, parole). The relatively short stay in provincial/territorial facilities (31 days) accounts for a large number of admissions.

In 1996-97, 319,279 offenders were admitted to custody and/ or to a community-based sanction such as probation or parole, a 2% drop from the previous year. Of these offenders, the vast majority (72%) were admissions to custody (includes remand); the remainder (28%) were offenders under community supervision. The number of admissions to custody in 1996-97 was down 2% from the year before, and represented the fourth straight annual decline. Similar declines were observed for admissions to community-based sanctions. Despite the overall decline, the number of admissions was still 21% higher than a decade ago (Table 1).

# Provincial/territorial admissions to custody down, federal admissions up

The decline in sentenced admissions (-6%) hides a different pattern for federal and provincial/territorial custody populations (excludes remand and other temporary detentions). There were 4,569 admissions to custody at the federal level in 1996-97 (up 4%). However, provincial/territorial admissions to custody over the same period declined by 6% (down to 107,997). One possible interpretation of this pattern is that the new conditional sentence of imprisonment has had an effect in reducing provincial/territorial admissions to

custody. Conditional sentences affect only persons sentenced to prison terms of less than two years; accordingly, any reduction in admissions as a result of the new disposition would be seen in the provincial/territorial and not the federal admission statistics (Table 3).

Since the new conditional sentence has only been in use for little more than a year, it is too soon to know exactly what effect it has had on provincial/territorial prison populations. A significant number of conditional sentences (9,027) were imposed within the first six months of its creation. Further analyses next year may be able to provide an estimate of the impact of the new sanction on the number of offenders being admitted to custody at the provincial/territorial level.

# Changes in provincial/territorial prison admissions highly variable

Overall, provincial/territorial admissions to custody are down (-6%). However, the decline in provincial admissions is far from uniform across the country. While the number of admissions to custody were marginally up in Quebec (+2%), declines in admissions were observed in all other provinces and territories. In some jurisdictions the decrease in admissions to custody was far higher than the national average. For example, admissions to custody were down 34% in Newfoundland, 25% in Saskatchewan and 21% in the Yukon (Table 3).

What accounts for this considerable degree of variation in admissions to custody? There are several possible explanations. First, if the number of convictions has changed at a different rate in some parts of the country, this will result in differences in the number of admissions to custody. If the number of people convicted in a given province/territory is above the national average, then the number of admissions to custody will also be above the national average. Another possible explanation concerns the use of conditional sentences. If judges in some provinces/territories are more likely to use the new sanction or at a greater rate, then provincial admissions in those jurisdictions are likely to be below the national average.

| Jurisdiction  | Number of admissions  | % change from previous year   |  |
|---|---|---|--|
| Newfoundland Prince Edward Island Nova Scotia New Brunswick Quebec Ontario Manitoba Saskatchewan Alberta British Columbia | 251<br>128<br>1,432<br>1,108<br>31,325<br>44,829<br>2,835<br>6,202<br>9,359<br>10,179 | -1.2<br>37.6<br>25.7<br>12.1<br>-8.3<br>3.8<br>-21.3<br>10.3<br>8.6 | Remand admissions include persons who have been charged with an offence and remanded (ordered by the court) to custody while awaiting a further court appearance. They have not been sentenced to custody or community sanctions but can be held for a number of reasons (e.g. risk that they will fail to appear for their court date risk to re-offend, etc.)  While the focus of this report will not include a detailed analysis of remand prisoners, this group is still important in monitoring the overall correctional population. |
| Yukon<br>Northwest Territories<br>Provincial/Territorial Total  | 253<br><br>107.901  | -1.2<br><br>1.3   | The number of remand admissions has decreased 6% over the last five years. During 1996-97, 48% of all custodial admissions were for remand.  |

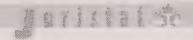


Table 3

### Sentenced Admissions to Provincial/Territorial and Federal Custody, 1996-97

| Jurisdiction                 | Number of admissions | % change from previous year | Rate per 10,000 adults charged | Per cent<br>female | Per cent<br>Aboriginal Peoples | Median<br>age |
|------------------------------|----------------------|-----------------------------|--------------------------------|--------------------|--------------------------------|---------------|
|                              | 4.500                | 24.2                        | 1.046                          | 7                  | 8                              | 30            |
| Newfoundland                 | 1,568                | -34.3                       | 1,946                          | ,                  | 11                             | 31            |
| Prince Edward Island         | 867                  | -12.7                       | 4,446                          | 0                  | 11                             |               |
| Nova Scotia                  | 2,113                | -19.4                       | 1,273                          | 5                  | 5                              | 31            |
| New Brunswick                | 2,919                | -13.7                       | 2,384                          | 5                  | 5                              | 29            |
| Quebec                       | 28,753               | 2.4                         | 2,517                          | 8                  | 2                              | 32            |
| Ontario                      | 36,530               | -1.6                        | 2.060                          | 9                  | 9                              | 31            |
| Manitoba                     | 2,069                | -15.0                       | 819                            | 9                  | 58                             | 30            |
| Saskatchewan                 | 4,802                | -24.9                       | 1,569                          | 10                 | 74                             | 29            |
| Alberta                      | 16.535               | -9.9                        | 2,832                          | 12                 | 39                             | 30            |
| British Columbia             | 11,531               | -7.2                        | 1,513                          | 7                  | 18                             | 31            |
| Yukon                        | 310                  | -21.1                       | 2,670                          | 5                  | 65                             | 32            |
| Northwest Territories        |                      | £ 1 + 1                     | 2,010                          |                    |                                |               |
| Provincial/Territorial Total | 107,997              | -5.7                        | 2,057                          | 9                  | 16                             | 31            |
| Federal Total                | 4,569                | 3.8                         | 87                             | 4                  | 15                             | 36            |

<sup>.</sup> figures not available.

Source: Adult Corrections Survey, Canadian Centre for Justice Statistics, Statistics Canada.

### Some provinces use prison more than others

Table 3 also reveals significant variation in the rates of admissions to custody expressed in terms of the number of adults charged. The national average at the provincial/territorial level was 2,057 per 10,000 adults charged. However, the rate of admissions varied from a low of 819 in Manitoba, to a high of 4,446 (per 10,000 persons charged) in Prince Edward Island. The rate of admissions in Prince Edward Island was therefore over five times higher than the rate of admissions to custody in Manitoba. It is unlikely that differences between provinces/territories in the seriousness of crimes, or the number of recidivists can explain this variation. For example, the percentage of violent crimes was lower, not higher, in Prince Edward Island than in Manitoba (19% compared to 36%).

One possible explanation for the variation in custody rates is that the judiciary in some jurisdictions may be more inclined to sentence offenders to custody. For example, sentencing statistics reveal that the incarceration rate for offenders convicted of impaired driving is much higher in Prince Edward Island: it is 75% compared to a national average of 16% for this offence.6 This would account for the higher overall rates of admissions to custody in that province. Another factor that could account for variations in jurisdictional custody rates is the inconsistent use of court decisions such as stays and withdrawals. These disposition categories refer to the court stopping or interrupting criminal proceedings against the accused. Jurisdictions that use a higher proportion of stays/ withdrawals to dispose of charges would tend to have lower rates of admission to custody, since fewer charges would result in convictions, and even fewer custody sentences.

# Incarceration at the provincial/territorial level is usually brief

With over 100,000 sentenced admissions to custody annually, and less than 15,000 people actually in provincial/territorial facilities on an average day, it is clear that people sentenced to provincial/territorial custody do not spend very long in prison. One-quarter of admissions to custody at the provincial/territorial level are for two weeks or less; over one-third are for periods of less than 30 days. In fact, the median<sup>7</sup> provincial/territorial term of imprisonment is 31 days. Most inmates do not serve their entire sentence in prison (many serve the last portion of their sentence in the community). The median length of time actually served in prison in 1996-97 was 24 days. The median term of imprisonment has changed little over the past five years.

The median varies from jurisdiction to jurisdiction. For example, in Prince Edward Island the median term was 19 days, while in Saskatchewan and Manitoba it was 90 days (Figure 4). This variation can reflect many factors. It is possible that some provinces/territories have a higher percentage of more serious crimes, which would result in a longer median term of imprisonment. Another explanation is that the judiciary in different parts of the country use imprisonment in different ways. In some jurisdictions it is possible that judges sentence more people to prison, but for shorter periods of time.<sup>6</sup>

<sup>...</sup> figures not appropriate or applicable.

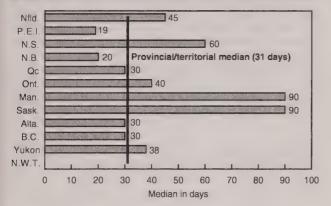
<sup>&</sup>lt;sup>6</sup> For more information, see "Sentencing in Adult Provincial Courts", by A. Birkenmayer and J.V. Roberts in Juristat (Catalogue No.85-002-XPE, Volume 17, No. 1).

<sup>&</sup>lt;sup>7</sup> The median represents the mid-point when all values are arranged in order of magnitude. One-half of the observations have a value less than or equal to the median, one-half have a value greater than or equal to the median.

For more information on sentencing patterns across the country, see "Sentencing in Adult Provincial Courts", by A. Birkenmayer and S. Besserer: Statistics Canada (Catalogue No. 85-513-XPE).

Figure 4

# Median sentence length on admission to provincial/territorial¹ custody, 1996-97



Data for the Northwest Territories were unavailable.
Source: Adult Corrections Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Another important consideration is that the median sentence length is affected by the shorter sentences associated with the large number of fine defaulters (29,000 or 24%) who are required to serve a short jail sentence in default of paying a fine. Though a number of jurisdictions have established "fine option" programs (e.g. Manitoba) to divert fine defaulters from jail, fine default continues to place considerable demands on correctional resources. A fine option program allows offenders to work in lieu of paying their fine.

#### Number of inmates admitted for life is increasing

Periods of incarceration at the federal level are by definition longer, as they all must be two years or more in duration. The average sentence length in 1996-97 at the federal level was 43 months. The most frequent sentence length category was between two years and three years (40% of all admissions). It is also noteworthy that the percentage of offenders sentenced to life terms of imprisonment, while still small, is growing. Admissions for life terms rose from 3% of all admissions in 1992-93 to 5% in 1996-97. In terms of the number of offenders, this means an increase from 173 inmates in 1992-93 to 210 in 1996-97.

# Female offenders represent less than 10% of admissions to custody

In 1996-97, males represented 91% and females 9% of all admissions to provincial/territorial prisons. This gender ratio has not changed in recent years as women accounted for the same percentage in 1992-93. Female offenders represent an even smaller percentage (4%) of admissions to federal penitentiaries (Table 3). This difference between the federal and provincial/territorial prison populations is accounted for by the fact that male offenders are more likely (than are females) to commit and/or be convicted of the more serious crimes of violence which result in sentences in excess of two years.

### Prison population is ageing

There has been a slight increase in the age of persons admitted to custody: in 1996-97 the median age was 31 years at the provincial/territorial level (up from 29 in 1992-93), and

36 at the federal level (up from 32 in 1992-93). The increase in the age of offenders reflects the ageing of the general population. The higher average admission age of federal offenders reflects the fact that federal inmates tend to have longer or more serious criminal records which have accumulated over a number of years.

# Aboriginal offenders still over-represented in prison admissions

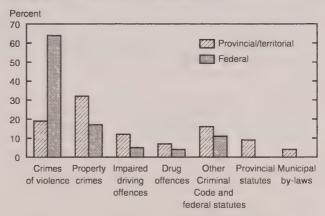
Aboriginal persons are over-represented in correctional institutions relative to their numbers in the general population. Aboriginal peoples represent 3% of the population in Canada. As in the past, admissions statistics in some provinces reveal high percentages of Aboriginal offenders. Aboriginal offenders represented 16% of total provincial/territorial admissions but accounted for 74% of admissions to custody in Saskatchewan, 65% in the Yukon, 58% in Manitoba and 39% in Alberta (Table 3). In contrast, Aboriginal people accounted for 11% of Saskatchewan's population, 20% of Yukon's, 12% of Manitoba's and 5% of Alberta's. Aboriginal offenders accounted for 5% or less of admissions in Nova Scotia, New Brunswick and Quebec. The percentage of federal admissions that are Aboriginal is increasing: it was 15% in 1996-97 compared to 11% in 1991-92.

# Property crimes account for highest percentage of admissions to provincial/territorial custody

Property crimes continue to account for the highest percentage of admissions to custody at the provincial/territorial level. Almost one-third of provincial/territorial admissions and 17% of federal prison admissions, are offenders convicted of crimes involving property. Offenders convicted of crimes involving violence accounted for 19% of provincial/territorial prison admissions and 64% of federal admissions (Figure 5). The high percentage of admissions to

Figure 5

# Most serious offence committed on admission to custody¹, 1996-97



<sup>1</sup> The percentage breakdown shown in this chart represents jurisdictions reporting either most serious disposition or most serious offence.
Note: Offence data were known for 84% of federal admissions.
Source: Adult Corrections Survey, Canadian Centre for Justice Statistics, Statistics Canada.

When offenders are admitted to prison for more than a single offence, the most serious of the offences is reported.



institutions for property crimes reflects the influence of two factors. First, property crimes are far more frequent than crimes of violence. (Property offences account for over half of all convictions in provincial/territorial courts.) Secondly, property offenders generally have longer criminal records. After the seriousness of the crime, an offender's criminal history is the most important determinant of the severity of the sentence imposed.

In any given month, the average number of persons under community supervision (117,683) declined slightly (-2%) in 1996-97. The number of persons on probation declined from 101,918 in 1995-96 to 99,220 (-3%) in 1996-97 (Table 4). This decline most likely reflects a decline in the number of cases before the courts, rather than a decrease in the rate of probation orders imposed, for as will be seen below, there has been no change in the probation rate.

### Suicide most frequent cause of death in the custodial population

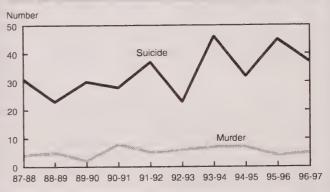
There were 92 inmate deaths in Canada's correctional institutions in 1996-97, two fewer than in the previous year. Of these, 44 occurred in provincial/territorial institutions, 48 in federal penitentiaries. Suicide continues to be the most frequent cause of death in custody, accounting for 27 (61%) of the provincial/territorial inmate deaths, and 10 (21%) of the federal inmate deaths. The number of suicides recorded in federal institutions was down from 17 in 1995-96, and is the smallest number recorded in a decade. In contrast, the number of suicides recorded in provincial/territorial institutions in 1996-97, while down from the previous year, was the second highest in a decade. When looked at as a rate per 10,000 adults, the inmate suicide rate is more than twice that found in the adult Canadian population (4.0 and 1.7 respectively). Five murders were recorded in Canada's prisons in 1996-97, one in a provincial institution and four in the federal system (Figure 6).10

### Escapes from federal institutions still rare

The number of escapes from federal institutions remained constant from the previous year (58 down from 59). This number is the lowest in many years. Between 1992-1994, for example, the average annual number of federal escapes was 205. The vast majority of escapes involved individuals who walked away from minimum security facilities.

Provincially, the number of escapes increased by 119 in 1996-97 to 1,220. Over 50% of all escapes were individuals who failed to report to an institution to serve an intermittent sentence (e.g., sentences served on weekends).

### Causes of death in the provincial/territorial and federal custodial population



Source: Adult Corrections Survey, Canadian Centre for Justice Statistics, Statistics Canada.

It is worth noting that impaired driving offences accounted for a large number of admissions to provincial custody. In New Brunswick and Prince Edward Island, almost one-quarter of all provincial admissions to custody (21% and 23% respectively) were for impaired driving offences. In Canada as a whole, over 15,000 individuals were admitted to provincial/territorial custody for an impaired driving offence in 1996-97 (12% of all admissions).

## TRENDS IN COMMUNITY-BASED **CORRECTIONS: PROBATION AND PAROLE**

Community-based corrections include a number of different categories such as offenders on probation, offenders on parole, and, since September 1996, offenders serving a conditional sentence of imprisonment (defined earlier). Probation is a sentence imposed by a judge, usually instead of, but sometimes in addition to, a term of imprisonment. It allows a person to live in the community under the supervision of a probation officer. Parole may be granted after the offender has served part of the sentence in an institution, allowing the offender to live in the community under supervision for the remainder of the sentence. The decision to grant parole is the responsibility of a board of parole.

#### Probation admissions rise

There was a noticeable change in the number of persons given a term of probation from 1995-96 to 1996-9711 (Table 4). While overall probation admissions increased (5%), there was a substantial degree of variation across the country. Among the provinces, admissions to probation expressed as a rate per 10,000 adults charged varied from 627 in Quebec to 3,544 in Prince Edward Island. The national average was 1,463 per 10,000 adults charged with a criminal offence.

The most frequently imposed length of probation (accounting for 27%) was 12 months. 12 The profile of persons sentenced to probation differed little from the profile of persons admitted to custody. The median age was 31 years and 12% were Aboriginal offenders. However, female offenders accounted for a greater percentage of probationers than admissions to provincial/territorial prisons (16% compared to 9%). This finding reflects the fact that women tend to be convicted of less serious offences, which are more likely to result in a less severe sanction (such as probation) than imprisonment.

<sup>10</sup> The remaining deaths were from natural causes or were classified as "other".

<sup>11</sup> Probation admissions for 1996-97 were unavailable for Nova Scotia and were excluded from previous years when making year to year comparisons.

<sup>12</sup> It was also the median length of probation imposed.

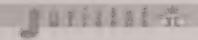


Table 4

#### Average Count and Number of Probation Admissions, 1996-97

|                              |  |                                      |                            |                                      | Proba                                   | ation admission                      | S                  |                                   |               |  |  |  |  |
|------------------------------|--|--------------------------------------|----------------------------|--------------------------------------|---|--------------------------------------|--------------------|-----------------------------------|---------------|--|--|--|--|
| Jurisdiction                 | Average<br>monthly<br>probation<br>count | % change<br>from<br>previous<br>year | Number<br>of<br>admissions | % change<br>from<br>previous<br>year | Rate per<br>10,000<br>adults<br>charged | % change<br>from<br>previous<br>year | Per cent<br>female | Per cent<br>Aboriginal<br>Peoples | Median<br>age |  |  |  |  |
| Newfoundland                 | 2,264                                    | 1.6                                  | 1,946                      | -4.2                                 | 2,415                                   | 2.1                                  | 18                 | 6                                 | 30            |  |  |  |  |
| Prince Edward Island         | 682                                      | -23.2                                | 691                        | 5.9                                  | 3,544                                   | 13.3                                 |                    | **                                | 29            |  |  |  |  |
| Nova Scotia                  | **                                       |                                      |                            |                                      |   |                                      |                    |                                   |               |  |  |  |  |
| New Brunswick                | 2,696                                    | 3.3                                  | 1,781                      | 0.6                                  | 1,455                                   | -2.6                                 | 17                 | **                                | 27            |  |  |  |  |
| Quebec                       | 10,007                                   | 5.1                                  | 7,162                      | 10.8                                 | 627                                     | 13.2                                 | 11                 | 5                                 | 30            |  |  |  |  |
| Ontario                      | 50,116                                   | 0.7                                  | 33,463                     | 4.6                                  | 1,887                                   | 10.7                                 | 17                 | 8                                 | 30            |  |  |  |  |
| Manitoba                     | 5,558                                    | 3.7                                  | 3,657                      | 14.0                                 | 1,447                                   | 21.4                                 |                    |                                   |               |  |  |  |  |
| Saskatchewan                 | 3,579                                    | 2.3                                  | 3,012                      | -10.0                                | 984                                     | -11.6                                | 18                 | 62                                | 28            |  |  |  |  |
| Alberta                      | 7,914                                    | 3.4                                  | 8,440                      | 3.3                                  | 1,445                                   | 1.7                                  | 22                 | 21                                |               |  |  |  |  |
| British Columbia             | 14,953                                   | 2.1                                  | 16,152                     | 5.9                                  | 2,119                                   | 4.0                                  | 16                 | 15                                | 30            |  |  |  |  |
| Yukon                        | 534                                      | 23.3                                 | 515                        | 56.1                                 | 4,436                                   | 87.6                                 | 10                 | 88                                | 32            |  |  |  |  |
| Northwest Territories        | 917                                      | -3.6                                 |                            | ***                                  | ***                                     |                                      | ***                |                                   |               |  |  |  |  |
| Provincial/Territorial Total | 99,220                                   | 1.7                                  | 76,819                     | 4.9                                  | 1,463                                   | 7.2                                  | 16                 | 12                                | 31            |  |  |  |  |

<sup>..</sup> data not available.

Source: Adult Corrections Survey, Canadian Centre for Justice Statistics, Statistics Canada.

#### Types of conditional release

There are three types of conditional release by which federal offenders can be released into the community: day parole, full parole and statutory release.

- Day parole provides offenders with the opportunity to participate in on-going community activities. Usually the offender resides at a correctional institution or halfway house in the community. Inmates are granted day parole in order to help them reintegrate back into the community, participate in educational or training programs, work and prepare for eventual full parole or statutory release.
- Full Parole is a form of conditional release from prison, granted at the discretion of the parole authorities. Offenders released from prison on full parole serve part of their sentence in the community under supervision. If the offender violates the conditions of parole, he or she may be returned to prison to serve the balance of the sentence in custody. Most federal inmates are eligible to apply for full parole after having served one-third of their sentences. 13 Decisions regarding parole for federal inmates, as well as inmates in provincial and territorial institutions (except in British Columbia, Ontario and Quebec which have their own parole boards) are made by the National Parole Board (NPB).
- Statutory release requires that federal inmates serve the final one-third of their custodial sentence in the community under supervision.

  Offenders on statutory release are typically inmates who either waived full parole, or who were denied release on full parole.<sup>14</sup>

# Different levels of government share responsibility for parole services

Three provinces (Quebec, Ontario and British Columbia) operate parole boards that have jurisdiction over all inmates in their provincial institutions. The National Parole Board has jurisdiction over all offenders serving sentences of two years or more, and offenders serving sentences in provincial and territorial correctional institutions where there are no provincial boards of parole.

The supervision of parolees in the community is provided by the appropriate correctional agency. In the cases of persons granted parole by the NPB, the responsibility rests with Correctional Service Canada. Inmates released on parole by a provincial parole board are supervised by probation and parole officers in that province.

# Provincial parole grant rates down, federal parole grant rates up

For the third consecutive year, provincial full parole grant rates have declined (Figure 7). In 1996-97, the overall provincial parole rate was 49%, down from 55% in 1995-96 and 65% in 1993-94<sup>15</sup>. In contrast, the federal parole rate has increased over the past few years. In 1996-97, 40% of full parole applications to the NPB were granted. This is up from 34% in 1995-96, and 33% in 1994-95.

<sup>...</sup> figures not appropriate or applicable

For a limited number of offences, the sentencing judge can defer the parole eligibility date from one-third to one-half of the sentence. Inmates serving life terms have different parole eligibility dates, depending on the seriousness of the crime for which their life terms were imposed.

Some offenders will be detained in prison for the full sentence.

<sup>&</sup>lt;sup>15</sup> The parole grant rate for 1996-97 was unavailable for British Columbia and was excluded from previous years when making year to year comparisons. In 1995-96, the parole grant rate in British Columbia was 48%.

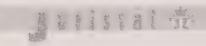
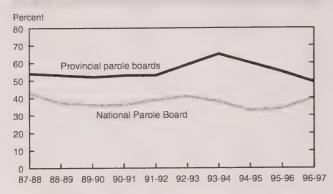


Figure 7

## Full parole grant rate



Source: Adult Corrections Survey, Canadian Centre for Justice Statistics, Statistics Canada.

As in previous years, there is considerable variation among the provincial parole boards in terms of their grant rates. The grant rate in Ontario in 1996-97 was 35%; in Quebec it was 65%. This difference in grant rates was apparent in previous years. The five-year (1992-1997) average grant rate in Quebec is 70% compared to 48% in Ontario. However, the higher provincial grant rate in Quebec was accompanied by a slightly lower parole success rate than in Ontario (73% versus 85%).

## Success rate of offenders on parole remains high

The vast majority of parolees serve the balance of their sentences in the community without violating their parole conditions. Of the provincial full parole population in 1996-97, 75% were completed successfully. As noted above, the success rate was somewhat higher (85%) in Ontario than in Quebec (73%).

The federal parole success rate is also high. In 1996-97, less than 2% of all federal parole revocations involved a violent criminal charge (Table 5). Of federal paroles that were revoked, the most frequent cause was for violation of parole conditions (25%), such as refraining from alcohol or drug consumption. Overall, 82% of day parole terms were completed successfully, 65% of full paroles and 56% of statutory releases.

Table 5

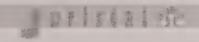
## Federal Release Success Rate, 1992-93 to 1996-97

| Type of release                    | 1992-93    | 1993-94 | 1994-95 | 1995-96      | 1996-97 |
|------------------------------------|------------|---------|---------|--------------|---------|
| SUCCESS RATE:                      |            |         |         |              |         |
| Completion <sup>1</sup>            |            |         |         |              |         |
| Day parole                         | 66.0       | 73.5    | 75.4    | 79.5         | 82.0    |
| Full parole                        | 70.0       | 58.2    | 62.6    | 66.6         | 65.3    |
| Statutory release                  | 54.1       | 49.8    | 57.6    | 57.3         | 56.3    |
| Revocation for violation of parole | conditions |         |         |              |         |
| Day parole                         | 25.5       | 19.8    | 19.3    | 15.4         | 14.4    |
| Full parole                        | 16.8       | 26.4    | 26.2    | 22.8         | 24.1    |
| Statutory release                  | 27.8       | 31.5    | 30.8    | 30.2         | 31.6    |
| Total success rate                 |            |         |         |              |         |
| Day parole                         | 91.5       | 93.3    | 94.7    | 94.9         | 96.4    |
| Full parole                        | 86.8       | 84.6    | 88.8    | <b>8</b> 9.4 | 89.4    |
| Statutory release                  | 81.9       | 81.3    | 88.4    | 87.5         | 87.9    |
| RECIDIVISM RATE <sup>2</sup> :     |            |         |         |              |         |
| Convicted of a non-violent offence | е          |         |         |              |         |
| Day parole                         | 6.6        | 5.1     | 3.8     | 3.5          | 2.7     |
| Full parole                        | 10.8       | 12.6    | 8.7     | 8.7          | 8.9     |
| Statutory release                  | 13.1       | 14.7    | 8.3     | 9.3          | 10.0    |
| Convicted of a violent offence     |            |         |         |              |         |
| Day parole                         | 1.8        | 1.7     | 1.5     | 1.5          | 0.8     |
| Full parole                        | 2.4        | 2.8     | 2.4     | 1.9          | 1.7     |
| Statutory release                  | 5.0        | 3.9     | 3.2     | 3.3          | 2.1     |
| Total recidivism rate              |            |         |         |              |         |
| Day parole                         | 8.4        | 6.8     | 5.3     | 5.0          | 3.5     |
| Full parole                        | 13.2       | 15.4    | 11.1    | 10.6         | 10.6    |
| Statutory release                  | 18.1       | 18.6    | 11.5    | 12.6         | 12.1    |

<sup>&</sup>lt;sup>1</sup> The supervision period has been completed without the commission of a new Criminal Code offence.

Source: National Parole Board, Offender Management System.

<sup>&</sup>lt;sup>2</sup> The supervision period has been revoked as a result of an additional conviction for either a non-violent or violent offence.



# Temporary absences from prison are almost always completed

In addition to day and full parole, inmates may apply for temporary absences. These allow the inmate to leave the institution for a limited period of time. They are granted for a variety of reasons which include medical, administrative (e.g., court appearances), and for compassionate reasons. Temporary absences can last from a few hours up to a few days. The absence may be either escorted or unescorted.

In 1996-97, Correctional Service Canada approved 43,666 escorted temporary absences and 5,963 unescorted absences. Of these, only 30 were not completed (17 escorted and 13 unescorted) for a success rate of 99.9%. The number of unescorted temporary absences rose by 37% in 1996-97, compared to 6% for escorted absences.

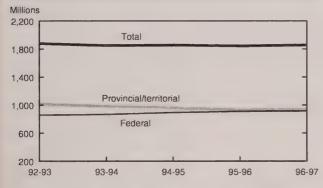
# **ADULT CORRECTIONAL EXPENDITURES**

## Cost of jailing offenders rises

In 1996-97, combined federal and provincial/territorial corrections expenditures reached \$1.97 billion, compared with \$1.88 billion five years earlier (Figure 8). Adjusting for inflation, total operating expenses increased marginally (+1%) in 1996-97 from a year earlier.

Figure 8

# Total operating expenditures, 1992-93 to 1996-97 (in constant 1992-93 dollars)



Source: Adult Corrections Survey, Canadian Centre for Justice Statistics, Statistics Canada. Federal expenditures in 1996-97 reached \$970 million, up 13% since 1992-93 (a 7% increase when adjusted for inflation). Provincial/territorial expenditures dropped 2% to \$998 million over the same five years (an 8% decline when adjusted for inflation).

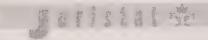
Nationally, the average annual cost of housing an inmate in a correctional institution was \$43,643, an increase of 3% since 1995-96. Provincial/territorial governments spent an average \$40,165 a year on each inmate in their jail systems in 1996-97, up slightly (+2%) from the previous year. The average cost per inmate in federal penitentiaries rose 5% to \$48,468. When adjusting for inflation, the average federal costs over the past five years increased (+2%) while provincial/territorial costs fell by 7%.

#### Conclusion

The public perception of crime, often shaped by highly negative and sensational incidents, has moved the correctional decision making process (e.g. early releases) to an increased level of public scrutiny. The portrait of correctional populations that emerges from this analysis is generally one of stability, both in terms of correctional populations and costs. It is still too early to evaluate the impact of specific legislative reforms (such as the Sentencing Reform Bill of 1996) which was aimed at reducing the number of offenders sent to prison. Understanding the impacts of such recent legislation will be an important goal of future research in the field of corrections in Canada.

## Methodology and data limitations

The information presented in this *Juristat* is derived from the Adult Corrections Survey. This survey is conducted annually (on a fiscal year basis from April 1 to March 31) and is designed to collect caseload and case characteristics information on adult offenders 18 years of age and over. Data pertain to both the provincial/territorial and federal corrections sectors. Statistics relating to operating expenditures are also collected on a fiscal year basis through the Resource, Expenditures and Personnel Survey. It is important to note that the expenditure data reported do not include "capital costs" (e.g. facility construction) which are incurred over and above daily operational costs.



# **Canadian Centre for Justice Statistics**

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# THE CHANGING NATURE OF FRAUD IN CANADA

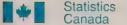
by Derek E. Janhevich\*

# HIGHLIGHTS

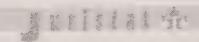
- In 1996, there were approximately 101,000 frauds reported by the police, accounting for 7% of all property crimes. The total number of frauds represented a rate of 337 per 100,000 population, the lowest rate in twenty years. This downward trend is largely attributed to significant decreases in reporting of cheque frauds.
- Credit card and "other" frauds increased substantially between 1977 and 1986. Despite yearly fluctuations, rates have increased only slightly since 1987. However, credit card fraud rates in particular have increased significantly in the last two years.
- Saskatchewan reported the highest provincial/territorial fraud rate for the fifth consecutive year in 1996 (540 per 100,000 population). Quebec, Newfoundland, Ontario and the Northwest Territories recorded rates below the national average of 337 per 100,000 population.
- Compared to most property crimes, frauds are more likely to be solved by the police. In 1996, nearly two in three (63%) fraud offences were solved by the police, while break and enters (16%), motor vehicle theft (12%), theft over \$5,000 (18%), and theft \$5,000 and under (20%) all demonstrated clearance rates well below this proportion.
- Persons accused of fraud offences are generally older than those accused of other property crimes.

  The median age for those accused of fraud was 29 years, compared to a median age of 21 for other property offenders.
- Probation was the most common sentence for fraud offences. The median length of a probation sentence was 450 days; the median length for a prison term was 60 days; and the median fine amount was \$200.
- In 53% of cases known to police, fraud incidents were aimed against a commercial enterprise and in a further 28%, the target was a bank or financial institution.

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February 1998 ISSN 0715-271X

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# Introduction

This *Juristat* provides a statistical profile of fraud in Canada. It examines trends in fraud offences, characteristics of incidents and offenders, as well as certain adult court and sentencing information. These data suggest that the nature of fraud offences has changed considerably over the years; however, official police and court data are limited sources of information in some respects. As a result, additional information from qualitative studies is used to supplement the data in order to provide context to the overall issue of fraud and certain aspects of "white collar" crime.<sup>1</sup>

## Conceptualizing fraud

Before it was criminalized, fraud was first dealt with under private law or civil law. It was in 1892 that an offence of "conspiracy to defraud" was introduced in the first *Criminal Code of Canada*. Fraud is often characterized as a form of "white collar" crime, corporate crime, or organized crime.

#### Box 1 Fraud Defined

The principle data sources for this report are the Uniform Crime Reporting Survey (UCR) as well as the Revised (incident based) UCR survey. Both report three types of fraud: **cheque fraud, credit-card fraud, and "other" fraud.** 

Cheque fraud implies the fraudulent use of a promissory note (cheque), traveller's cheque, money order, postal order or any facsimile of a cheque. This includes all false pretence, forgery, uttering and fraud offences involving cheques.

The term **credit-card** describes a wide assortment of plastic cards (and non-plastic coupons) that are used to obtain credit, money, goods and services, either upon the direct presentation of the card or through an automated teller machine. These include all cards issued by department stores, oil companies, financial institutions, and others. **Credit-card fraud** includes all fraudulent type offences involving the use and/or theft of credit cards.

Any other type of fraud not already mentioned is defined as **other fraud** and could include: criminal breach of trust, false pretences, forgery and uttering, destroying or falsifying books and documents, trademark forgery and frauds, unauthorized use of computers, mail fraud, telemarketing fraud, insurance fraud, fraudulent manipulation of the stock exchange, etc. Unfortunately, these offences are grouped in the surveys together and there is no way of distinguishing one from another.

These three categories will constitute the bulk of the analysis in this *Juristat*. Due to coding criteria of the UCR survey, not all fraud related offences are catalogued under the "fraud" category. Some offences such as "Frauds upon government" and "Forging a passport" are catalogued under "Other Criminal Code" offences, and there is no way to isolate these specific offences from the general categories.

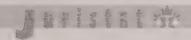
In addition, scoring of these offences often presents difficulty relating to the definition of a separate incident. A single fraud incident can involve multiple fraudulent actions. For example, in credit card fraud cases where one credit card is used over a period of time, only one offence is scored. The revised UCR survey provides a counter to indicate the number of fraudulent actions in a fraud incident.

Although the UCR surveys do not provide a breakdown on the type of fraud committed, the Adult Criminal Court Survey (ACCS) specifies with which *Criminal Code* section that persons appearing in adult court were charged. The ACCS covers only cases heard in adult court, but it can be used as an indicator of the types of fraud charges laid. In 1995-96, the majority of fraud cases were related to common type frauds (s.380 CC).

Type of Fraud in Adult Court Criminal Cases, 1995-1996

| Туре о | f fraud/Criminal Code Section  | #      | %   |
|--------|--|--------|-----|
| s.380  | Fraud  | 9,668  | 45  |
| s.362  | Obtaining by false pretence, fraud, or false statement   | 2,795  | 13  |
|        | Uttering forged document   | 2,560  | 12  |
|        | Theft, forgery, etc. of credtit card   | 1,875  | 12  |
| s.403  |  | 1,644  |     |
| s.367  | Forgery  | 857    |     |
|        | Fraud in relation to fares and transporation   | 592    | ;   |
|        | Fraudulently obtaining food and lodging  | 592    |     |
| Other  | , account of the second of the | 791    | 4   |
| Total  |  | 21,594 | 100 |

<sup>1</sup> For more details regarding the data sources, refer to the text boxes entitled "Methodological Notes" and "Fraud Defined".



The concept of white collar crime was first introduced by Edwin Sutherland over half a century ago. In his original explanation, Sutherland (1940) noted that these crimes were actions and conspiracies by the wealthy classes who used their position in society for personal gain without regard for the law. These actions tended to be dealt with in civil law (since most persons were intent on getting back their losses), and were not the subject of criminological study. Over the years, the concept of white collar crime has broadened in scope to include numerous occupational violations of the law, and unlike Sutherland's original concept, such crimes are committed by persons in all social classes (Geis, 1974).

Although fraud and other forms of white collar and corporate crime are not usually viewed in the same light as violent crime or youth crime, they do result in significant costs to society. Additionally, the damage to social relations is often greater than the financial losses, since white collar crimes can violate a sense of trust, lower social morale and have a negative effect on the organization of society (Sutherland, 1940).

More recently, numerous attempts have been made to examine and understand the complex nature of this offence (c.f. Bequai, 1978; Clinard, 1952; Geis & Stotland, 1980). From these efforts, several obstacles to studying fraud have emerged including: the infrequency of reporting, detection, and prosecution; the impact on the victim which is often difficult to assess; and an overall ambivalence over the issue, especially when the general public, law enforcement, and policy makers are more concerned with "conventional" crimes such as street crime, violent crime and youth crime (Nightingale, 1996). Many of these themes will be examined throughout this report.

For the purposes of this *Juristat*, <u>fraud</u> can be defined as any attempt through deceit or falsehood to obtain goods, services or financial gain without legitimate rights (for further information refer to Box 1 - *Fraud Defined*). Fraud incorporates a wide array of criminal activities ranging from simple credit card theft to complex electronic money transfer schemes and personal identity scams.

# National Trends: a Twenty Year Perspective

Generally, total reported fraud offences in Canada have shown significant decreases; however, some types of frauds have recently shown different patterns. As will be discussed, numerous factors such as overall under-reporting, levels of police activity, the reporting practices of businesses and corporations, the use of private security agencies, and overall changes in consumer behaviour may all have had an impact on these changing patterns. For instance, various police agencies may have specialized "fraud squads" or a specific type of fraud will periodically be the focus of investigative work (e.g. sting operations) which may increase the likelihood of detection. In other instances, fiscal restraint may render the investigation of such crimes a lower priority, thereby reducing the likelihood of detection. These operational procedures are also common practice vis-à-vis crimes like prostitution and gaming offences.

#### Box 2 Methodological Notes

The findings in this report are largely drawn from the Aggregate Uniform Crime Reporting (UCR) Survey, the Revised (incident based) UCR Survey, as well as the Adult Criminal Courts Survey (ACCS). Other sources and studies have been referenced in order to provide added contextual and qualitative information otherwise not available in the Canadian Centre for Justice Statistics' surveys. The reader is cautioned to take note of these data sources when referring to the analysis, graphs, and tables.

Aggregate UCR Survey – Since 1962, the UCR has provided basic police-reported information on violent, property and other crimes. This survey records the number of incidents reported by the police. Variables include: the number of reported offences, the number of actual offences (excludes unfounded incidents), offences cleared by charges, persons charged by sex and adult/youth status. Only the most serious offence in an incident is recorded, thus under-representing the volume of less serious offences.

Revised UCR Survey – Since 1988, the revised survey has captured detailed information on individual criminal incidents reported by the police. Variables go beyond those of the aggregate survey and include characteristics of the incidents, victims of violent crime, and accused persons. As a general rule, analysis of revised UCR data is normally conducted on the most serious offence in an incident, however up to four offences (ranked) can be recorded. In 1996, 154 police agencies in six provinces reported to the revised survey, and the collected data represented 47% of the national volume of *Criminal Code* incidents. The reader is cautioned to note that these data are not nationally representative, and other than Quebec, the data are primarily from urban police departments.

Adult Criminal Courts Survey (ACCS) – This survey examines criminal court case characteristics on federal statute charges which are collected by the CCJS in collaboration with provincial and territorial governments responsible for provincial/territorial criminal courts. The main unit of analysis is the case, which is defined as one or more charges laid against an individual which are disposed of in court in the same day. The individuals in question are adults (18 years and over), companies, and youths transferred to adult court. Currently, provincial criminal courts in seven provinces and two territories (representing 80% of the national provincial criminal court case load) report to the ACCS.

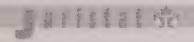
#### Cheque frauds down, credit card frauds up

In 1996, there were a total 101,007 frauds reported by the police, the lowest number of fraud incidents since 1979. Frauds accounted for 7% of all property crimes. The rate of fraud (337 per 100,000 population) dropped by 4% in 1996, the fifth consecutive annual drop, marking the lowest rate in the last twenty years. (Figure 1). Since 1992, the rate has dropped 24% and it remains 32% lower than the 1986 peak rate of 498 per 100,000 population (Table 1).

Despite the significant decrease in fraud offences over the last five years, not all categories of fraud show the same trend. The main contributing factor to the decrease in total fraud offences has been a significant reduction in the number of cheque frauds. An historical examination of the three types of fraud as a proportion of the total number of reported frauds reveals the following picture: In 1977, cheque fraud accounted for 70% of all frauds reported by the police; however, this proportion dropped to 60% by 1986 and currently stands at 40% (Figure 2). In the last decade, the rate (per 100,000 population) of cheque fraud has decreased by more than half (55%) (Table 1).

| Year             | Population | טֿ     | Cheque Fraud | pr  | Crec   | Credit Card Fraud | rand                                      | 0      | Other Fraud |   |         | Total Fraud | q   |
|------------------|------------|--------|--------------|---|--------|-------------------|---|--------|-------------|---|---------|-------------|---|
|                  |            | Number | Rate         | % Change of<br>Rate Over<br>Previous Year | Number | Rate              | % Change of<br>Rate Over<br>Previous Year | Number | Rate        | % Change of<br>Rate Over<br>Previous Year | Number  | Rate        | % Change of<br>Rate Over<br>Previous Year |
| 222              | 23 796 383 | 59 899 | 252          |   | 5.672  | 24                |   | 19,952 | 22          |   | 85,523  | 329         |   |
|                  | 24 036 347 | 61,439 | 256          | 1.5                                       | 5,201  | 23                | -9.2                                      | 21,917 | 91          | 8.8                                       | 88,557  | 368         | 2.5                                       |
|                  | 24 276 926 | 62 199 | 256          | 0.2                                       | 6.562  | 27                | 24.9                                      | 22,923 | 26          | 3.6                                       | 91,684  | 378         | 2.5                                       |
|                  | 24 593 341 | 67.025 | 273          | 6.4                                       | 8,310  | 8                 | 25.0                                      | 26,920 | 109         | 15.9                                      | 102,255 | 416         | 10.1                                      |
|                  | 24 899 999 | 70,707 | 284          | 4.2                                       | 10.840 | 4                 | 28.8                                      | 30,780 | 124         | 12.9                                      | 112,327 | 451         | 9.00                                      |
|                  | 25,201,902 | 72,027 | 286          | 9.0                                       | 14,540 | 28                | 32.5                                      | 31,830 | 126         | 2.2                                       | 118,397 | 470         | 4.  |
|                  | 25 456 302 | 70.047 | 275          | -3.7                                      | 16,258 | 29                | 10.7                                      | 32,065 | 126         | -0.3                                      | 118,370 | 465         | -1.0                                      |
|                  | 25,701,754 | 74.541 | 290          | 5.4                                       | 16,268 | 83                | 6.0-                                      | 31,966 | 124         | £.†-                                      | 122,775 | 478         | 2.7                                       |
| 1985             | 25.941.647 | 74.472 | 287          | -1.0                                      | 15,430 | 26                | -6.0                                      | 33,238 | 128         | 3.0                                       | 123,140 | 475         | 9.0                                       |
|                  | 26,203,819 | 78,957 | 301          | 5.0                                       | 15,243 | 28                | -2.2                                      | 36,359 | 139         | 8.3                                       | 130,559 | 498         | 5.0                                       |
|                  | 26.549.745 | 74,095 | 279          | -7.4                                      | 14,702 | 55                | 4.8                                       | 37,345 | 141         | 1.4                                       | 126,142 | 475         | -4.6                                      |
|                  | 26,894,785 | 72,967 | 271          | -2.8                                      | 13,286 | 49                | -10.8                                     | 38,519 | 143         | 1.8                                       | 124,772 | 464         | -2.                                       |
|                  | 27,379,348 | 72,453 | 265          | -2.5                                      | 13,716 | 22                | 4.1                                       | 36,464 | 133         | -7.0                                      | 122,633 | 448         | ကို                                       |
|                  | 27,790,593 | 74.040 | 266          | 0.7                                       | 17,818 | 95                | 28.0                                      | 38,740 | 139         | 4.7                                       | 130,598 | 470         | 4.  |
|                  | 28,120,065 | 74,659 | 566          | -0.3                                      | 18,544 | 99                | 2.9                                       | 43,690 | 155         | 11.5                                      | 136,893 | 487         | 3.0                                       |
|                  | 28 542 213 | 66,823 | 234          | -11.8                                     | 16,003 | 29                | -15.0                                     | 42,910 | 150         | -3.2                                      | 125,736 | 441         | <del>,</del>                              |
|                  | 28 946 768 | 56,530 | 195          | -16.6                                     | 13,932 | 48                | -14.2                                     | 42,584 | 147         | -2.1                                      | 113,046 | 391         | -11.3                                     |
|                  | 29 255 599 | 46.872 | 160          | -18.0                                     | 13,438 | 46                | 4.6                                       | 42,933 | 147         | -0.2                                      | 103,243 | 353         | <u>.</u> 6-                               |
|                  | 29,615,325 | 44.076 | 149          | -7.1                                      | 15,238 | 51                | 12.0                                      | 44,610 | 151         | 2.6                                       | 103,924 | 321         | 9.0-                                      |
| 966              | 29,963,631 | 40,343 | 135          | -9.5                                      | 17,405 | 82                | 12.9                                      | 43,259 | 144         | 4.2                                       | 101,007 | 337         | e,  |
| % Change in Rate |            |        |              |   |        |                   | :   |        |             | L<br>C                                    |         |             | ć   |
| 1977 to 1986     |            |        |              | 19.7                                      |        |                   | 144.1                                     |        |             | 65.5                                      |         |             | 200.0                                     |
| 1986 to 1996     |            |        |              | -55.3<br>An H                             |        |                   | -0.1<br>143.7                             |        |             | 72.2                                      |         |             | -52.5                                     |
| 1977 10 1990     |            |        |              | 10.0                                      |        |                   | 98  |        |             | -4.0                                      |         |             | -23                                       |

Source: Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey, 1996. Rates are calculated based on 100,000 population.

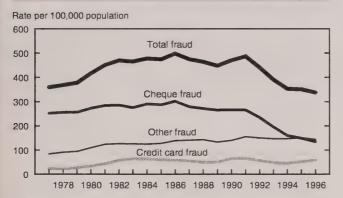


Credit card offence rates increased dramatically (144%) from 1977 to 1986. The 1996 rate is the same as the 1986 rate; however, during this period substantial increases and decreases are noted. The credit card rate has increased in the last two years, up 12% from 1994 to 1995, and up 13% from 1995 to 1996. (Table 1). As a proportion of the total number, credit card frauds increased from 7% in 1977 to 17% in 1996 (Figure 2).

Like credit card frauds, the rate of "other" frauds increased substantially (66%) from 1977 to 1986, and despite some yearly fluctuations, the rate has only increased slightly (4%) in the last decade. As a proportion of all frauds, this category increased from 23% in 1977 to 28% in 1986, to 43% in 1995 and 1996.

Figure 1

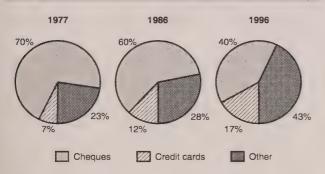
# Trends in fraud rate, Canada, 1977-1996



**Source:** Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey, 1996.

Figure 2

# Proportion of type of fraud, Canada, 1977, 1986, 1996



Source: Canadian Centre for Justice Statistics, Uniform Crime Reporting
Survey, 1996

#### Changing patterns linked to many factors

A possible explanation for the decrease in overall reported fraud offences is that the types of frauds being committed have changed dramatically and that these new types of fraud are more difficult to detect. The complexity of science and technology (especially when computer technology is used as an instrument of fraud) may have made it more difficult to track down offenders (Nightingale, 1996). In addition, the levelling off or even dropping of police budgets may have rendered the task an even more difficult one. It may be difficult to generate fraud tracking resources when the public is much more concerned with traditional issues of crime control. Moreover, private policing and security agencies are often hired to investigate frauds, petty thefts and other "white collar" activity in the corporate sector. Corporations may do this in order to assert greater control over the situation and may even be reluctant to let the police or public know of their internal problems fearing a tarnished image (Swol, 1997). Consequently, this could have an impact on fraud statistics reported by the police.

Changes in consumer behaviour and changes in technology have altered the opportunities for fraud offences. For example, new methods of payment (i.e. automated teller machines, increased use of credit cards, automated bill payment, direct withdrawals, etc.) have rendered other forms such as cheques less common. Consequently, this may have had an effect on the decreasing number of cheque frauds being committed each year. In 1994, the Canadian Bankers Association noted that there were approximately 27 million credit cards from financial institutions in circulation, generating over \$60 billion in sales. This compares to 25 million cards in the previous year which brought in sales worth \$40 billion.

Another possible explanation relates to the theory of crime displacement. According to this perspective, changes in criminal opportunities will motivate a significant proportion of offenders to switch criminal activity, and an apparent crime "wave" will parallel decreases in other related offences (Mativat & Tremblay, 1997). The shifts in types of fraud crimes show support for a crime displacement model. However, in one study on crime switching opportunities between stolen credit card offences and counterfeit credit card crimes, Mativat & Tremblay (1997) found little support for displacement theory. The absence of displacement was partly due to low differences in pay-off, as well as a lack of opportunity due to certain offender characteristics. Since no displacement was noticed within a tightly related crime category (credit card theft and counterfeiting), a displacement from cheque to other more sophisticated types of fraud, which are unrelated, would seem unlikely.

An interesting pattern is noted when comparing trends in the unemployment rate and credit card fraud rates. Generally, when the unemployment rate increases or decreases, the credit card rate follows a similar pattern (Figure 3). This suggest a possible link between this particular type of fraud and economic need. This relationship is only noted for credit card fraud.

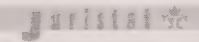
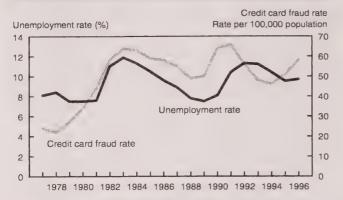


Figure 3

# Unemployment rate and credit card fraud rate, 1977-1996



Sources: Household Surveys Division, Labour Force Survey; Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey, 1996.

Table 2

## Total fraud rates higher in non-Census Metropolitan Areas<sup>2</sup>

It is a common assumption that crime rates in and around larger urban areas are higher than rates in smaller communities. The RCMP has noted that counterfeit credit card rings in cities such as Vancouver, Toronto, and Montreal, which experience various types of gang activity, present opportunities which are conducive for such criminal activity to flourish (Clarke, 1995:3). A look at 24 of Canada's Census Metropolitan Areas (CMA) reveals that total fraud rates in 1996 are in fact higher in smaller CMAs and non-CMAs than in larger CMAs. Furthermore, non-CMAs have total fraud rates which are higher than the national average.

## Frauds by Census Metropolitan Area (CMA), 1996<sup>1</sup>

|                        | Population <sup>2</sup> | Cheque I | Fraud | Credit Ca | rd Fraud | Other Fr | aud  | Total Fr | raud |
|------------------------|-------------------------|----------|-------|-----------|----------|----------|------|----------|------|
|                        |                         | Number   | Rate  | Number    | Rate     | Number   | Rate | Number   | Rate |
| Larger CMAs            |                         |          |       |           |          |          |      |          |      |
| Toronto                | 4,410,269               | 3,407    | 77    | 2,253     | 51       | 4,839    | 110  | 10,499   | 238  |
| Montreal               | 3,365,160               | 3,000    | 89    | 3,293     | 98       | 3,282    | 98   | 9,575    | 285  |
| Vancouver              | 1,883,679               | 1,512    | 80    | 1,337     | 71       | 2,951    | 157  | 5,800    | 308  |
| Ottawa-Hull            | 1,039,307               | 1,018    | 98    | 796       | 77       | 1,394    | 134  | 3,208    | 309  |
| Edmonton               | 890,771                 | 1,195    | 134   | 1,003     | 113      | 1,408    | 158  | 3,606    | 405  |
| Calgary                | 853,711                 | 1,619    | 190   | 657       | 77       | 825      | 97   | 3,101    | 363  |
| Quebec                 | 699,035                 | 705      | 101   | 327       | 47       | 640      | 92   | 1,672    | 239  |
| Winnipeg               | 680,285                 | 961      | 141   | 408       | 60       | 445      | 65   | 1,814    | 267  |
| Hamilton               | 657,230                 | 566      | 86    | 231       | 35       | 650      | 99   | 1,447    | 220  |
| Total for Larger CMAs  | 14,479,447              | 13,983   | 97    | 10,305    | 71       | 16,434   | 113  | 40,722   | 281  |
| Smaller CMAs           |                         |          |       |           |          |          |      |          |      |
| Kitchener              | 427,054                 | 471      | 110   | 158       | 37       | 630      | 148  | 1,259    | 295  |
| St.Catharines-Niagara  | 422,608                 | 755      | 179   | 343       | 81       | 443      | 105  | 1,541    | 365  |
| London                 | 420,614                 | 588      | 140   | 176       | 42       | 583      | 139  | 1,347    | 320  |
| Halifax                | 344,135                 | 994      | 289   | 301       | 87       | 527      | 153  | 1,822    | 529  |
| Victoria               | 315,168                 | 419      | 133   | 483       | 153      | 741      | 235  | 1,643    | 521  |
| Windsor                | 294,063                 | 547      | 186   | 183       | 62       | 317      | 108  | 1,047    | 356  |
| Saskatoon              | 223,524                 | 731      | 327   | 136       | 61       | 454      | 203  | 1,321    | 591  |
| Regina                 | 199,243                 | 418      | 210   | 78        | 39       | 302      | 152  | 798      | 401  |
| St. John's             | 175,249                 | 148      | 84    | 40        | 23       | 707      | 403  | 895      | 511  |
| Chicoutimi-Jonquière   | 167,854                 | 152      | 91    | 86        | 51       | 87       | 52   | 325      | 194  |
| Sudbury                | 166,661                 | 155      | 93    | 89        | 53       | 156      | 94   | 400      | 240  |
| Sherbrooke             | 148,925                 | 156      | 105   | 105       | 71       | 119      | 80   | 380      | 255  |
| Trois-Rivières         | 142,028                 | 151      | 106   | 66        | 46       | 138      | 97   | 355      | 250  |
| Thunder Bay            | 130,006                 | 360      | 277   | 76        | 58       | 294      | 226  | 730      | 562  |
| Saint John             | 129,380                 | 246      | 190   | 59        | 46       | 225      | 174  | 530      | 410  |
| Total for Smaller CMAs | 3,706,512               | 6,291    | 170   | 2,379     | 64       | 5,723    | 154  | 14,393   | 388  |
| Total CMA              | 18,185,959              | 20,274   | 111   | 12,684    | 70       | 22,157   | 122  | 55,115   | 303  |
| Total Non-CMA          | 11,777,641              | 20,069   | 170   | 4,721     | 40       | 21,102   | 179  | 45,892   | 390  |
| Total Canada           | 29,963,600              | 40,343   | 135   | 17,405    | 58       | 43,259   | 144  | 101,007  | 337  |

Source: Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey, 1996.

Rates are calculated based on 100,000 population.

<sup>&</sup>lt;sup>2</sup> To facilitate urban crime analysis, CCJS also uses geographical units known as the Census Metropolitan Area (CMA). A CMA represents an urbanized core of at least 100,000 population and includes adjacent urban and rural areas which have a high degree of social and economic integration. The configuration of such units has facilitated comparisons among different sized communities.

<sup>&</sup>lt;sup>1</sup> Excludes Oshawa CMA.

<sup>&</sup>lt;sup>2</sup> Population estimates are from Demography Division and have been adjusted in situations where policing and CMA boundaries are inconsistent.



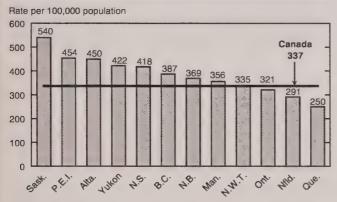
This trend is not apparent in all types of fraud however, as credit card fraud rates are higher in CMAs than in non-CMAs, and higher than the national average. The credit card fraud rate is also higher overall in larger CMAs than in smaller CMAs (Table 2). However, the highest rate of credit card fraud did not occur in one of Canada's largest CMAs. In 1996, Victoria reported the highest credit card fraud rate, and this trend has been consistent since 1991 (when CMA crime data were first available).

#### Fraud rates highest in Saskatchewan

In 1996, Quebec, Newfoundland, Ontario, and the Northwest Territories had total fraud rates below the national average (Figure 4). Saskatchewan reported the highest provincial rate per 100,000 population for the fifth consecutive year (540), and except for 1987 and 1992, it has maintained this trend since 1981. Unlike the national trend, Prince Edward Island, Newfoundland, and New Brunswick have recorded increases in overall fraud rates in the last ten years.

Figure 4

# Fraud rates by province/territory, 1996



Source: Canadian Centre for Justice Statistics, Uniform Crime Reporting

# **Characteristics of Fraud**

There are many distinguishing characteristics of fraud offences which make them unique among property crimes. For instance, the overall costs associated with fraud offences, as a direct and indirect consequence of such crimes, may exceed the costs of other property crimes, and in certain types of fraud offences victimization patterns are different. In addition, fraud offenders have a different profile than those apprehended for other types of property crime, such as break and enter or theft. Each of these aspects will be examined in further detail.

#### The financial losses due to fraud

Even though the social outcry concerning fraud offences is typically less pronounced than for some other crimes, fraud encompasses some heavy costs. Some possible reasons for the lower social concern are numerous: the perceived low level of social harm that results; the tendency to view aspects of the conduct as socially acceptable (e.g. "shrewd economic behaviour"); the lack of sympathy that victims receive because of their possible precipitating behaviours (i.e. "the victim should have known better" or "the company deserved it"); or the sometimes affluent nature of offenders (Nightingale, 1996).

Insurance fraud, for example, is a growing concern for the Insurance Bureau of Canada (IBC) and the Insurance Crime Prevention Bureau. It is believed that at least 10% to 15% of automobile, household and commercial claims are fraudulently fabricated or inflated, costing approximately \$1.3 billion annually to policyholders (Insurance Bureau of Canada, 1996:15, see Box 3).

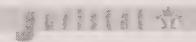
# Box 3 Facts About Insurance Fraud

In June 1994, the IBC-backed Canadian Coalition Against Insurance Fraud was founded to implement a series of actions to try and reduce the annual \$1.3 billion cost of property and casualty insurance fraud. With its more than 60 members, the Coalition represents groups affected by fraud including the private insurance industry, police and fire services, consumer advocacy groups and public auto insurers. Actions aimed at curbing the high toll of insurance "scams" include public awareness, changing business practices, improved investigative and enforcement techniques, improved understanding of the problem, and changes to the legal and regulatory environment.

The Coalition defines insurance fraud as: any act or omission with a view to illegally obtaining an insurance benefit – in other words, any action where claimants receive money that they were not entitled to. The Coalition's efforts have produced the following:

- Insurance fraud includes a wide array of activities: completely fabricated claims, exaggeration or padding of genuine claims, false statements on insurance applications, and all types of internal fraud.
- Insurance fraud costs approximately \$1.3 billion and an additional \$1 billion per year in police and fire resources. Health costs to victims and fire fighters are other unmeasured costs.
- In North America, insurance fraud is estimated to be second to illegal drug sales in the source of criminal profits.
- All insurance fraud is a crime including "opportunistic" actions like exaggerating a genuine claim.
- In a 1996 public opinion poll regarding insurance fraud, 43% of Canadians agreed it was easy to successfully defraud an insurance company; 78% understood that fraud had an impact on the cost of insurance; and 50% believed it was common to exaggerate claims

**Source:** Insurance Bureau of Canada, Canadian Coalition Against Insurance Fraud, 1996



According to the Canadian Bankers Association (CBA), in 1996, credit card frauds (e.g. Visa, Mastercard, American Express) incurred a cost totalling \$83 million, approximately one-third of which stemmed from counterfeiting. This amount is a substantial increase from the \$72.6 million lost in 1995 and the \$28.9 million recorded in 1990 (CBA, Security Division, 1996). Credit card fraud was the most frequent type of external fraud where financial institutions and retail operations fell victim (KPMG, 1997).

Since some fraud incidents involve amounts that run into the multi-million dollar range, and some result in no monetary losses, an average amount is not the best indicator of typical costs of fraud. A better indicator is the median dollar loss which represents the midpoint of values lost per fraudulent incident. In 1996, the median dollar loss per fraudulent incident was \$480. Nearly seven in ten cases of fraud (where the dollar amount was known) involved a dollar value loss of less than \$1000. Approximately 1% involved incidents where the loss was over \$100,000 (Table 3). Some incidents had amounts that reached millions of dollars.

The revised UCR survey indicates that the median loss on a cheque fraud incident was \$462, while the median amount for credit card incidents was higher at \$585. "Other" frauds were lowest at \$325.3

According to KPMG's 1997 Fraud Survey Report, cheque forgery and counterfeiting were the most common types of internal employee fraud, accounting for 27% of all internal fraudulent activity by employees. Internal fraud refers to fraudulent activity occurring within the confines of a particular corporation. The activity may involve either employees or managers.

#### Frauds have high clearance rates

An incident is considered to be solved by the police or "cleared" when there is sufficient evidence to lay a charge against a suspect. The incident is either cleared by a "charge" or cleared "otherwise". The latter category indicates that despite sufficient evidence to lay a charge against an accused, none was laid due to a number of reasons, such as either the complainant or police refused to lay a charge, the accused was less than 12 years old, or the accused dies before charges were laid.

Property crimes normally have much lower clearance rates than violent and other types of offences. For instance, in 1996, 73% of all reported violent offences were solved by the police, compared to 42% for other *Criminal Code* offences (i.e. mischief, arson, disturbing the peace) and only 22% for all property crimes. Table 4 indicates that in 1996, the clearance rate for fraud offences was much higher than most property crimes (63%). Only possession of stolen goods presented a clearance rate greater than frauds (93%). Approximately 4 in 10 fraud offences resulted in the laying of a charge and a further 20% were cleared otherwise. The proportion of cleared fraud offences was nearly three times that of total property crimes.

Table 3

## Fraud Offence by Dollar Value of Property Stolen<sup>1</sup>, 1996

| Dollar Value<br>Grouping | % Cheque<br>Fraud | % Credit Card<br>Fraud | % Other<br>Fraud | % Total<br>Fraud |
|--------------------------|-------------------|------------------------|------------------|------------------|
| < 100                    | 12                | 14                     | 34               | 19               |
| 100 - 199                | 13                | 8                      | 8                | 11               |
| 200 - 499                | 27                | 21                     | 13               | 21               |
| 500 - 999                | 20                | 20                     | 10               | 17               |
| 1,000 - 4,999            | 20                | 30                     | 16               | 21               |
| 5,000 - 9,999            | 4                 | 4                      | 7                | 5                |
| 10,000 - 99,999          | 3                 | 2                      | 10               | 5                |
| 100,000 and more         |                   |                        | 2                | 1                |
| Total <sup>2</sup>       | 100               | 100                    | 100              | 100              |
| Median amount            | \$ 462            | \$ 585                 | \$ 325           | \$ 480           |

Source: Canadian Centre for Justice Statistics, Revised Uniform Crime Reporting Survey, 1996.

Represents a non-random sample of 154 police agencies accounting for 47% of the national volume of crime. The data are not nationally representative.

The reader is cautioned to note that these amounts may be slightly inflated because other criminal events, such as theft, may be included in the fraud incident. Dollar values are calculated for all offences within an incident.

<sup>1</sup> Excluded are cases where although a fraud took place, the amount was unknown or no amount was stolen. These incidents represented 22% of the total.

<sup>&</sup>lt;sup>2</sup> Due to rounding totals may not add up to 100.

<sup>-</sup> Amount too small to be expressed.

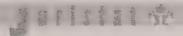


Table 4

## Clearance Status for Property Offences, 1996

| Type of Property Offence | Number of Incidents | Cleared by | Charge | Cleared Otl | nerwise | Total   | Cleared            |
|--------------------------|---------------------|------------|--------|-------------|---------|---------|--------------------|
|                          |                     | Number     | %      | Number      | %       | Number  | % Total<br>Cleared |
| Break and enter          | 396,085             | 40,853     | 10     | 21,244      | 5       | 62,097  | 16                 |
| Motor vehicle theft      | 178,580             | 14,371     | 8      | 7,584       | 4       | 21,955  | 12                 |
| Theft over \$5,000       | 28,144              | 3,138      | 11     | 1,863       | 7       | 5,001   | 18                 |
| Theft under \$5,000      | 821,385             | 102,226    | 12     | 62,614      | 8       | 164,840 | 20                 |
| Have stolen goods        | 30,599              | 25,238     | 82     | 3,071       | 10      | 28,309  | 93                 |
| Fraud                    | 101,007             | 44,072     | 44     | 19,735      | 20      | 63,807  | 63                 |
| Cheques                  | 40,343              | 18,036     | 45     | 9,533       | 24      | 27,569  | 68                 |
| Credit Cards             | 17,405              | 6,962      | 40     | 2,062       | 12      | 9,024   | 52                 |
| Other Frauds             | 43,259              | 19,074     | 44     | 8,140       | 19      | 27,214  | 63                 |
| Total Property           | 1,555,800           | 229,898    | 15     | 116,111     | 7       | 346,009 | 22                 |

Source: Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey, 1996.

# Box 4 Issues Surrounding Computer Related Crime

From a criminal justice point of view, computers and the world of information technology offer numerous practical and legal challenges. They have created new crimes, offered offenders novel ways to achieve old objectives, and provided investigators with a new tool (whether the crime is computer-related or not). Computer related crimes range from theft of components to the actual utilization of various telecommunications tools, internet access, and "hacking" techniques. The theft of computer components may be related to fraudulent practices; however not all computer crimes are frauds.

There is a common misconception that the Internet has created a new type of crime. In fact, the Internet has provided a new avenue for traditional crimes such as hate propaganda, theft, and fraud to flourish. Furthermore, criminal organizations can use the internet to access information, communicate, and facilitate criminal activities. The use of encryptions are often used to mask and hide illegal information (RCMP, 1997).

Telecommunications fraud is a relatively recent development that enables organizations to access telecommunication services by some deceitful act. This is accomplished by technological manipulation (e.g. hacking) or through the theft of activated cellular phones.

Cellular telephones are also subject to the avoidance of billing systems, which is accomplished through the modification of their computer components.

Too often, victims of computer and telecommunication fraud are unable to provide meaningful assistance to police investigators. There are many complex issues that have rendered computer related and cyber related offences undetectable.

Source: Davis & Hutchison, 1997; McPhie, 1996; RCMP, 1997.

#### Charges lowest in twenty years

Fraud offences have a higher proportion of incidents cleared by charge than most other property crimes. In 1996, the proportion was the lowest in twenty years. Since 1987, the figure has steadily decreased from 56% to 44% in 1996. This general trend is noted for all types of fraud offences. Incidents cleared by charge for credit card frauds (40%) and other frauds (44%) are the lowest in the last ten years. This perhaps reflects the changing nature and type of frauds being committed and the difficulty of detection and investigation compared to ten years ago.

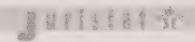
Compared to other property crimes, fraud offences have a higher proportion of incidents that are dealt with in ways other than laying a charge (Table 4). As noted above, there are a number of reasons why charges may not be laid by the police. The revised (incident based) UCR survey provides a breakdown of why some incidents are dealt with in alternate ways.4 In 1996, of those incidents that were cleared otherwise, the most common reason was because the complainant preferred not to have charges laid (35%). Other studies suggest that in many of the cases, no charges were laid if offenders agreed to reimburse merchants or commercial enterprises for losses incurred (Morrison and Leroux, 1990). Police used their own discretion not to lay charges in 32% of fraud incidents, and in a further 23%, charges were not laid due to reasons beyond the control of the police department. The remainder were not processed because the accused was already involved in another incident (7%) or due to other reasons (4%).

#### How many frauds per incident?

A single fraudulent incident can involve multiple fraudulent transactions. For example, the finding, theft, or counterfeit reproduction of cheques or credit cards can result in them being used more than once (McPhie, 1995). A credit card can be utilized in many different stores, and although only one incident of fraud is reported to the police (i.e. the stolen credit card) there may have been numerous victims. In 1996, over eight in ten (84%) incidents of fraud involved the single commission of a fraudulent act. In a further 12%, between two and five frauds were counted for each incident, and the remainder (4%) involved over six fraudulent actions. Credit card fraud reported the highest proportion (26%) of incidents with more than one fraudulent action, and "other" frauds reported the lowest proportion (8%).5 Although most fraud incidents involved a single fraudulent action, certain types of fraud, especially credit card, have a broader impact than what may be reflected in reported incidents.

<sup>&</sup>lt;sup>4</sup> The reader is cautioned to note that since coverage of the revised UCR survey is not nationally representative, overall data and total proportions will not match those reflected in aggregate UCR data.

<sup>&</sup>lt;sup>6</sup> Analysis reflects only those incidents where the number of fraudulent transactions was known.



#### Box 5 Telemarketing Scams

Project Phonebusters is a National Task Force that has become the central source for telemarketing complaints throughout Canada. It was established in January 1993 by the OPP, RCMP, Industry Canada, Ministry of Consumer and Commercial Relations and the Canadian Banker's Association. Since then, partnerships have been extended to include the Canadian Couriers Association, Alberta Municipal Affairs, and all Better Business Bureaus across North America.

Telemarketing involves the planned and professional use of telephones as a tool to advertise, market, or provide service functions to both consumers and businesses. Telemarketing has made business ventures much more efficient and effective since geographic and physical limitations are eliminated, allowing consumers and businesses to access markets otherwise inaccessible. Telemarketing has become the credit card industry's most important marketing medium (Federal Bureau of Investigation, 1994).

Although businesses utilize multiple telephone solicitations and mass mailings to conduct legitimate business, there are numerous telemarketing schemes that defraud the unsuspecting consumer through misrepresentations and promises. According to Project Phonebusters, telemarketing fraud nets an estimated \$100 million annually in Canada and over \$3 billion in the United States. Illegal telemarketers entice victims by offering tantalizing deals or prizes such as savings bonds, financial investments, trips, cars, boats, jewellery, and products of all varieties. Not only are persons called, but post cards and packages of the "sweepstakes" variety are also often used as a tool to attract potential buyers. The illegal telemarketers request cheques, credit card numbers, or money orders as a means to pay for the items purchased. Subsequently, the goods are either never delivered or are not of the value originally outlined in the product description. For example, toy boats or cheap jewellery might be sent.

Higher-loss victims are persuaded to purchase land, stocks, or phoney franchises. Payments are made by cheque or wire transfer and each scam can be worth thousands of dollars. Project Phonebusters notes that at least one Canadian per week loses more than \$50,000, and entire life savings are sometimes lost. In 1996, Phonebusters reported 15,578 complaints of fraud attempts and 2,676 victims of fraud in Canada, totalling over \$6.9 million in losses.

The average dollar loss per victim was approximately \$2,600. Often, the victims are elderly people who are less apt to report their victimization due to embarrassment. Phonebusters estimates that only 5% of all complaints (and attempts) are reported to proper authorities. A 1992 U.S. study indicated that 31% of those defrauded due to telemarketing scams reported their victimization (as cited in McPhie, 1995).

In addition to "telephone" telemarketing scams, the use of internet web sites as a means of purchasing goods and services is also inundated with fraudulent practices. These sites often request credit card numbers as the mode of payment.

Industry Canada has produced a video concerning various fraudulent scams. The video entitled "SCAM ALERT" can be obtained at no cost from Industry Canada by calling (800) 348-5358. Here are a few helpful "Dos and Don'ts" on how to avoid victimization of telemarketing fraud:

#### DON'T:

- · Believe skeptical offers that sound "too good to be true";
- Be fooled by a promise of a valuable prize in return for a low cost purchase;
- Give out information about your credit card number/expiry date, bank account information over the telephone or through the internet unless you know with whom you are dealing;
- Be pressured into making any decisions with which you feel uncomfortable;
- Be afraid to hang up the phone;
- Invest or spend more money than you can afford to lose;

- · Ask companies their name, address, phone number, and references or any other information that may be helpful;
- Check with your local Better Business Bureau or any consumer protection agency before any purchase is made;
- Report incidents of telemarketing fraud to your local Better Business Bureau and police department.

Source: Phonebusters - a National Task Force Combating Telemarketing Fraud, 1997

#### The Victim

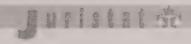
The victim of a fraud may be an individual, an identifiable group of persons, a corporate entity, or a group of corporations (Nightingale, 1996). In addition, there are several indirect repercussions from fraud that affect the larger public. When dealing with the corporation as victim, shareholders, employees, and creditors are all affected and the general public bears much of the cost as well (Nightingale, 1996). The consequences of such economic crimes inevitably lead to an increase in the price of goods, insurance premiums, taxes, and the overall cost of living.

An individual can be the victim of a credit card fraud even though banks or financial institutions incur the costs. Moreover, telemarketing frauds are one example of how specific individuals can be directly victimized by fraudulent practices. Project Phonebusters reports that between January and May 1997 over half (51%) of the victims of telemarketing

scams that paid out money were over 60 years old and this age group represented 73% of those victimized for scams worth over \$5,000 (See Box 5).

Because of its unique victim characteristics, fraud is relatively different from other "conventional" crimes, since often, the victim is not initially aware that harm of a criminal nature has been committed (Nightingale, 1996).6 Often, the victim is reluctant to pursue the cases through legal channels due to either an overall ambivalence toward the conduct or for fear that their own negligence may have been a contributing factor to the commission of the offence (Walsh and Schram, 1980). Furthermore, victims may feel that criminal justice processes may not repair the harm done in terms of returning financial losses.

<sup>&</sup>lt;sup>6</sup> The reader is cautioned to note that much of Nightingale's analysis is based on fraud offences of a commercial or corporate nature.



# Box 6 The Changing Nature of Credit Card Fraud

Losses due to credit card fraud are rising dramatically and are of great concern to the industry. Up until the early 1990's, most credit card fraud was based on lost or stolen cards. Since then, counterfeit and altered credit cards have surfaced as the newest type of credit card fraud. Although UCR police reported statistics do not specify the type of credit card fraud, the Canadian Banker's Association (CBA) reports that counterfeiting credit cards is one of the fastest-growing categories of fraud in Canada and around the world. Overall, police reported statistics indicate that <u>incidents</u> of credit card fraud have increased (up 13% from 1995 to 1996), and information provided by the CBA indicates the same trend. In 1992-93, the CBA reported 55,475 <u>occurrences</u> of credit card fraud, 23% which resulted from counterfeiting. In 1995-96 the number increased to 77,740 occurrences. The proportion of those stemming from counterfeiting increased to 32%.

Counterfeit credit cards take on various forms. The basic principle behind each type of counterfeit credit card fraud is the theft of data, i.e. account numbers. These data, with the appropriate help of equipment such as embossing machines and laser copiers is then used in various schemes. There are "pure" counterfeit cards, which are manufactured through a silk screen process and then encoded with actual credit card customer data. A second type involves the use of genuine cards (stolen or expired) that are altered and re-impressed (embossed and/or encoded) with different numbers. A third technique simply involves the use of an ordinary plastic card onto which a number is appended. This white plastic fraud is used for fictitious purchases which requires the collusion of a merchant or an employee. According to the 1993 Organized Crime Committee Report (OCCR) launched by the Canadian Association of Chiefs of Police (CACP), and the CBA, the production of high-quality "pure" counterfeit cards is the fastest growing type of counterfeiting activity.

According to the CBA (1996), the theft (23.5%), loss (22.2%), and counterfeiting (32.2%) of cards were by far the most common types of credit card fraud, accounting for nearly 8 in 10 of all reported occurrences. Other types of fraud reported by the CBA include "non-receipts" (8.6%), whereupon a mailed card does not reach its destination; "fraudulent applications" (3.3%), which involves the impersonation of credit worthy applicants; "no card frauds" (7.7%), in which someone else's card number is utilized to make purchases via the telephone, mail, or internet. Other type of credit card fraud was reported in 2.5% of occurrences.

Sources: CBA, 1996; Mativat & Tremblay, 1997; Clarke et al, 1995; CACP, 1993.

## Commercial establishments most frequent target

In 53% of cases known to police, fraud incidents were aimed against a commercial enterprise and in a further 28%, the target was a bank or financial institution (Table 5). For the most part, these two ranked first and second in all types of fraud, except "other" frauds. Although commercial establishments fell victim to "other" frauds in nearly half the cases, non-commercial establishments, such as government departments or social service agencies, were ranked second (22%).

Given the breakdown of the targets, what proportion of these crimes were committed internally or were work place related? Results from Peat Marwick Thorne's (KPMG) 1997 Fraud Survey Report found that of the private and public companies responding, 62% reported that fraud had taken place in their organization compared to 52% from the previous year. The majority (55%) of the costs incurred from such behaviour was due to internal fraud (38% stemming from employees and 17% from management). It is important to note that although there was a higher proportion of incidents of employee misbehaviour, the average cost per incident of management fraud was significantly higher.

#### Offenders most often males

As with most other crimes, males represent the majority of those charged (71%). Compared to the total of property crimes and overall *Criminal Code* offences however, female involvement in fraud is relatively high (Table 6). Only the category of theft \$5,000 and under represented a proportion of females charged that was slightly higher than frauds (31%). Among fraud offences, the proportion of women charged is highest for cheque frauds.

Table 5

## Fraud by Target of Incident, 1996

| Target of Incident 1                       | % Cheque<br>Fraud | % Credit Card<br>Fraud | % Other<br>Fraud | % Total<br>Fraud |
|--|-------------------|------------------------|------------------|------------------|
| Commercial Establishments <sup>2</sup>     | 57                | 47                     | 52               | 53               |
| Banks/Financial Institutions               | 35                | 43                     | 11               | 28               |
| Residences <sup>3</sup>                    | 6                 | 6                      | 12               | 8                |
| Non-Commercial Establishments <sup>4</sup> | 2                 | 3                      | 22               | 9                |
| Other                                      |                   | 1                      | 3                | 1                |
| Total <sup>5</sup>                         | 100               | 100                    | 100              | 100              |

Source: Canadian Centre for Justice Statistics, Revised Uniform Crime Reporting Survey, 1996.

Represents a non-random sample of 154 police agencies accounting for 47% of the national volumeof crime. The data are not nationally representative.

1 Includes only those incidents where the target was known

Includes any enterprise which is in business to market (retail or wholesale) or service products and whose function is to make profit for the owner(s). Examples includes department stores, restaurants hardware stores, gas stations, convenience stores, etc.

Includes single homes, apartment units and commercial residences.

- 4 Refers to enterprises that are not profit-oriented. Examples include churches or other religious institutions, government departments, penal institutions, private sector social service agencies, etc.
- Due to rounding, totals may not add up to 100.
- Amount too small to be expressed.

Table 6

## Sex of Persons Charged by Selected Offence Types, 1996

| Offence                    | Total Persons<br>Charged | % Males | % Females |
|----------------------------|--------------------------|---------|-----------|
| Break and Enter            | 46,229                   | 93      | 7         |
| Motor Vehicle Theft        | 15,894                   | 92      | 8         |
| Theft over \$5,000         | 3,246                    | 81      | 19        |
| Theft \$5,000 and und      | er 106,376               | 69      | 31        |
| Have Stolen Goods          | 22,910                   | 86      | 14        |
| Fraud                      | 30,509                   | 71      | 29        |
| Cheques                    | 10,894                   | 68      | 32        |
| Credit Card                | 5,203                    | 74      | 26        |
| Other Fraud                | 14,412                   | 72      | 28        |
| Total Property             | 225,164                  | 78      | 22        |
| <b>Total Criminal Code</b> | 518,876                  | 81      | 19        |

Source: Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey, 1996.

Various studies have examined characteristics of fraud offenders. Nightingale (1996) notes that the usual perpetrator of fraud within the commercial context is a privileged, high status, well-educated male who occupies a position of respect in society. However, in their study on the notion of crime displacement between stolen based (and altered) credit cards and "pure" counterfeit credit cards, Mativat & Tremblay (1997) note that the makeup of individuals involved is somewhat different for the two types of credit card offences, although the perpetrators are mainly "street offenders". Evidently, fraud is not a homogeneous category of crime. It ranges from simple credit card theft to complex technological scams and counterfeiting schemes; hence painting an accurate picture of the typical "fraud artist" is a difficult task. Fraud schemes for example require more planning, sophistication, resources, and capital investment, and the fraud "artist" would not be representative of the "typical" offender (See Box 6).

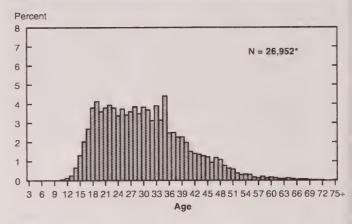
Just as most fraud incidents involved a single fraudulent action, most incidents involved a single person. Eight in ten (81%) involved only one accused, while the remaining two in ten involved multiple accused persons. Credit card offences had the highest proportion of multiple accused persons per fraudulent incident (25%).

#### The median age of accused is 29 years old

As might be expected, persons accused<sup>7</sup> of fraud offences are older than those apprehended for other property crimes. The median age for those accused of fraud was 29 years, compared to 21 for those apprehended for other property crimes. Figures 5 (a) and 5 (b) illustrate proportional age distribution of persons accused of fraud and those accused of other property crimes. It is also interesting to note that over two thirds of fraud offences are committed by persons over the age of 24 while 60% of other property type crimes are committed by those aged 24 and under. Furthermore, those between the ages of 25 to 39 accounted for half of all persons accused of fraud, but represented only 25% of the total population in 1996.

Figure 5a

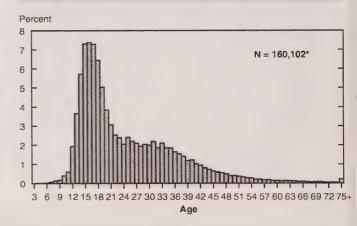
# Persons accused of fraud by age, 1996



Source: Canadian Centre for Justice Statistics, Revised Uniform Crime Reporting Survey, 1996.

Figure 5b

# Persons accused of other property crimes by age, 1996



Source: Canadian Centre for Justice Statistics, Revised Uniform Crime Reporting Survey, 1996.

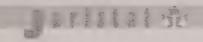
# Sentences for Fraud

In 1995-96 adult provincial criminal courts in participating jurisdictions disposed of 71,645 fraud charges which accounted for 22,198 cases heard in adult criminal courts. Whereas the vast majority (97%) were processed in provincial courts, a small number (723) made their way into Superior Court.

<sup>&</sup>lt;sup>7</sup> An accused is a person who has been identified as suspect in an incident and against whom a charge has been laid or could be laid in connection with that incident.

<sup>\*</sup> Excludes unknown age (n = 276).

<sup>\*</sup> Excludes unknown age (n = 361).



# Approximately two-thirds of fraud cases result in conviction

Almost two-thirds (63%) or 13,425 of all cases heard in adult provincial courts resulted in a finding of guilt. This proportion is similar to all federal statute cases (64%) and to all property offence related cases (65%). The dispositions for the remainder of fraud cases included stayed/withdrawn (31%), acquittal (2%) and other (5%).

#### Probation most common sentence

In the participating jurisdictions, probation was given as the sole sentence or as part of a combination of sentences in 60% of all convictions (Table 7). Prison was given (as the only sentence) in 36% of the convicted fraud cases. Overall, prison was given in 37% of property crime convictions and in 40% of violent crime convictions.

The median length for probation sentences was 450 days which is somewhat higher than the median length for all cases of property crimes (365 days). The median length of all cases that resulted in a prison sentence was 60 days compared to 89 days for all property crimes, and the median amount of fine for all fraud cases was \$200, the same amount for all property crimes.

# Summary

The focus of this *Juristat* was to present a statistical profile of fraud in Canada with emphasis on the changing nature of this criminal offence. Generally, total reported fraud offences have shown significant decreases in the last ten years. A major contributing factor to this decrease has been the substantial decline in cheque frauds. Other types of frauds demonstrate different trends. Credit card offences have

increased significantly in the last two years, while the last ten years have demonstrated some substantial yearly fluctuations, leaving the 1996 rate slightly higher than ten years ago. "Other" frauds have demonstrated less significant increases in the last ten years.

The changing patterns and overall decline in frauds may be linked to a number of factors. Changes in consumer behaviour, such as a reduced reliance on cheques as a method of payment is one possible explanation to the dramatic reductions in reported cheque frauds. On the other hand, increased circulation of plastic payment cards, as well as new fraudulent methods of counterfeiting these cards, could help explain the recent increase in credit card frauds. Other factors that may contribute to the overall changes in fraud rates include: overall under-reporting due to company reporting practices; increased reliance on private security; the difficulties in detecting and investigating more sophisticated and technologically advanced fraudulent methods; the levelling or even the decrease in police operational budgets; and the difficulty in keeping up with fraud tracking devices.

According to banking and insurance groups, fraud incurs total financial costs that run well over the billion dollar mark and according to others, it contributes to overall social disorganization. Despite the drastic financial costs and the social consequences, fraud continues to be a crime which generates less social concern than other crimes such as youth violence. The reasons are plenty: such offences may be less threatening than more visible and potentially harmful types; some aspects of fraudulent behaviour may be viewed as socially acceptable behaviour; and often victims are not persons but companies.

Given our rapidly changing society, the changing nature of fraud will also continue to change. Future research considerations must take this into account.

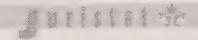
Table 7

#### Cases by Type of Sentence, Selected Offences, 1995-961

| Offence Type             | Total Cases | Pris   | son | Proba  | abtion | Fi     | ne | Restit | ution | Oth    | er | Unkr  | nown |
|--------------------------|-------------|--------|-----|--------|--------|--------|----|--------|-------|--------|----|-------|------|
|                          |             | #      | %   | #      | %      | #      | %  | #      | %     | #      | %  | #     | %    |
| Break and Enter          | 9.866       | 6.571  | 67  | 6.121  | 62     | 879    | 9  | 939    | 10    | 3.225  | 33 | 210   | 2    |
| Arson                    | 291         | 159    | 55  | 218    | 75     | 33     | 11 | 19     | 7     | 133    | 46 | 6     | 2    |
| Fraud                    | 13,425      | 4,781  | 36  | 8,099  | 60     | 3,404  | 25 | 3,019  | 22    | 5,907  | 44 | 484   | 4    |
| Possess Stolen Property  | 8,910       | 3,826  | 43  | 3,780  | 42     | 2,983  | 33 | 481    | 5     | 2,691  | 30 | 332   | 4    |
| Theft                    | 31,661      | 9.993  | 32  | 13,498 | 43     | 11,558 | 37 | 2,047  | 6     | 11,551 | 36 | 1,706 | 5    |
| Property/Damage/Mischief | 8,742       | 1,747  | 20  | 5,277  | 60     | 3,052  | 35 | 2,679  | 31    | 4,070  | 47 | 335   | 4    |
| Total Propery Crime      | 72,895      | 27,077 | 37  | 36,993 | 51     | 21,909 | 30 | 9,184  | 13    | 27,577 | 38 | 3,073 | 4    |
| Total Violent Crime      | 42,576      | 16,969 | 40  | 28,765 | 68     | 9,806  | 23 | 1,032  | 2     | 19,416 | 46 | 1,472 | 3    |

Source: Canadian Centre for Justice Statistics, Adult Criminal Court Survey, 1995-96.

Percentages do not add up to 100 because multiple sentences are counted.



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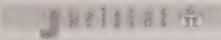
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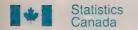


# **BREAKING AND ENTERING IN CANADA, 1996**

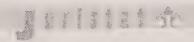
by Rebecca Kong

# HIGHLIGHTS

- MAR 19 1998
- In 1996, there were 396,085 incidents of breaking and entering (B&E) reported by the police. Almost two-thirds of these were residential, meaning that at least 1 in every 50 residences was broken into that year.
- After decreasing for four years in a row, the overall rate of B&E (1,322 per 100,000 population) increased very slightly in 1996 (+0.2%). Compared to 1991 when B&E reached an all-time high, the rate has fallen 15%. In 1996, residential B&E grew for the second year in a row and business B&E remained stable after four years of decreases.
- Among the provinces, British Columbia and Saskatchewan continued to report the highest rates, while the Atlantic provinces reported the lowest rates. Newfoundland's rate was the lowest of all provinces, less than half that of British Columbia.
- Over the last five years, most provinces have reported decreases in their B&E rate, with the largest drops seen in Alberta (-33%), Prince Edward Island (-27%), Newfoundland (-25%), Nova Scotia (-21%) and Quebec (-21%). Saskatchewan was the only province to show an increase (+4%).
- Vancouver reported the highest rate by a wide margin among the nine largest census metropolitan areas (CMAs). Rates fell in five of the nine CMAs in 1996, with Ottawa reporting the largest decrease (-16%). Ottawa's rate, however, was still 10% higher than in 1991. Among the smaller CMAs, Regina and Saskatoon reported the highest rates.
- The type of item most frequently stolen from residences was audio/video equipment (32%), followed by jewellery (13%) and money, cheques or bonds (11%). A business B&E was more likely to result in the theft of money, cheques or bonds (22%), office equipment (20%) and audio/video equipment (11%).
- In 1996, over 46,200 persons were charged with B&E. Four in ten were youths and the vast majority were male (93%).
- While 39% of youths convicted of B&E were sentenced to custody, 67% of adults convicted of this offence were sentenced to prison. This difference is likely due to adults having longer criminal histories. The median sentence length for youths was 90 days and the median sentence length for adults was 180 days.







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March 1998 ISSN 0715-271X

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# INTRODUCTION

Breaking and entering is one of the most common and most serious property offences. Historically, breaking and entering has accounted for about one-quarter of all property crimes reported to the police. Not only can this crime result in the theft or destruction of property, but it is also an invasion of personal or work space that can leave victims fearful of recurrence or personal harm.

Canada's law against breaking and entering is based on old English common law that narrowly defined the crime as an intrusion of a home during the night with the intent to commit a felony therein.\(^1\) In Canada today, the offence includes the breaking and entering of properties other than homes. However, by setting a maximum penalty of life imprisonment for the breaking and entering of a dwelling-house, our law continues to recognize the invasion of a home as more serious than the invasion of another type of structure (Box 1).

# Box 1: Breaking and entering as defined by the Criminal Code

# Section 348 (1) Breaking and entering with intent, committing offence or breaking out

Every one who

- (a) breaks and enters a place with the intent to commit an indictable offence therein,
- (b) breaks and enters a place and commits an indictable offence therein, or
- (c) breaks out of a place after
  - (i) committing an indictable offence therein, or
  - (ii) entering the place with intent to commit an indictable offence therein,

is guilty

- (a) if the offence is committed in relation to a dwelling-house, of an indictable offence and liable to imprisonment for life, and
- (b) if the offence is committed in relation to a place other than a dwelling-house, of an indictable offence and liable to imprisonment for a term not exceeding ten years or of an offence punishable on summary conviction.

(Criminal Code of Canada, R.S.C. 1985)

This *Juristat* will provide an overview of residential and business breaking and entering (B&E) in Canada. Trends in police-reported B&Es will be examined at the national, provincial and census metropolitan area levels. In addition, this *Juristat* will present information on the characteristics of B&Es, the persons committing them and the responses of youth and adult courts.

# TRENDS IN BREAKING AND ENTERING

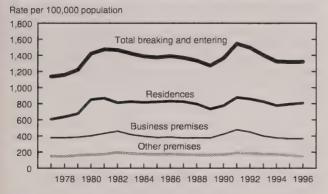
## After recent declines, B&E stabilized in 1996

In 1996, police reported 396,085 incidents of B&E, a rate of 1,322 per 100,000 population. After decreasing for four years in a row, the rate of B&E increased by less than one percent in 1996 (Table 1). Since 1977, the rate of B&E has seen notable increases only twice: once in the late 1970's and again in the early 1990's (Figure 1). Compared to 1991, when B&Es reached an all-time high (1,546 per 100,000 population), the rate has tumbled 15%. Although it is lower than five and ten years ago, the 1996 rate is still 16% higher than the rate recorded twenty years ago.

<sup>&</sup>lt;sup>1</sup> Yogis, John A., Q.C. (1990). Canadian Law Dictionary. Baron's: Toronto, page 32.

Figure 1

# Breaking and entering in Canada, 1977-1996



**Source:** Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Under the Uniform Crime Reporting (UCR) Survey, police-reported B&E is categorized as three types: residential, business and other (Box 2). While the majority of B&Es in 1996 were residential (six in ten), business B&Es accounted for almost three in ten and other B&Es for one in ten. This distribution is similar to that of previous years. Police-reported B&Es in this report include attempts.

## Residential B&E grows for second year in a row

Residential B&E is the only type to have increased over the past two years (Figure 1, Table 1), including a 2% increase in the rate in 1996. Although the 1996 rate (808 per 100,000 population) was lower than the rates recorded five (877) and ten (831) years ago, it was still 33% higher than that recorded in 1977 (608). As it accounts for the majority of B&E, an increase in residential B&E fuels an increase in the overall total.

# Compared to other industrialized countries, risk of residential B&E is high in Canada

Among a number of industrialized countries surveyed about their experiences with crime, Canada ranked second highest in terms of residential B&E. Results from the 1996 International Crime Victimization Survey (ICVS) indicate that 5.3% of Canadian households experienced at least one completed or attempted B&E in 1995. Canada was followed by the Netherlands (5.1%), the United States (4.9%), France (3.9%), Scotland (3.6%) and Northern Ireland (2.5%). With

6.1% of households victimized in 1995, England and Wales ranked the highest.

According to the number of incidents reported to UCR, the rate of households that experienced a B&E was 1 in 50, or 2%. There are two possible reasons that could explain the difference between this household rate and that of the ICVS. First, the ICVS is a relatively small sample survey and the UCR survey is a census of all crimes reported to police. Second, the UCR data reflect only those incidents reported to police. However, results from the ICVS indicate that 85% of victims of B&E reported to the police. The extent to which non-reporting to police can account for the difference between ICVS and UCR rates of household victimization is therefore questionable.

#### Business B&E remains stable

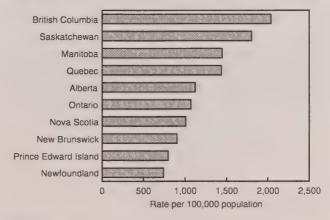
After decreasing four years in a row, the rate of business B&E did not change in 1996 (Figure 1, Table 1). The rate of "other" B&E (e.g. storage facilities, sheds) dropped for the fifth consecutive year in 1996 (-7%) (Table 1).

## **British Columbia continues to report highest rates**

In 1996, British Columbia reported the highest rate of B&E among the provinces, followed by Saskatchewan, Manitoba and Quebec (Figure 2). Over the last five years, rates have consistently been highest in British Columbia and, except for 1992, Manitoba and Saskatchewan have always ranked within

Figure 2

## Breaking and entering by province, 1996



Source: Table 2.

Box 2: Police-reported categories of B&E

Residential B&E: The breaking and entering of a private residence, including single homes, garden homes, apartments, cottages, mobile homes, rooming houses, etc.

Business B&E: The breaking and entering of a facility used for commercial or public affairs. These include, for example, financial

The breaking and entering of a facility used for commercial or public affairs. These include, for example, financial institutions, stores, and non-commercial enterprises such as government buildings, schools, churches, and non-profit

agencies.

Other B&E: The breaking and entering of private property structures (e.g. shed, detached garages) or storage and transport facilities.

the top three. In general, the Atlantic provinces reported the lowest rates. Newfoundland reported the lowest rate of all provinces in 1996, less than half that of British Columbia.

Rates declined in just four of the ten provinces in 1996 (Table 2). Only Ontario and Prince Edward Island reported notable decreases. Increases among the six remaining provinces ranged from 1% in Saskatchewan to 9% in Newfoundland.

Consistent with the national trend, most provinces reported decreases from 1991 to 1996 (Table 2). The only exceptions were Saskatchewan (+4%) and British Columbia (no change). The largest declines over this period were reported in Alberta, Prince Edward Island, Newfoundland, Nova Scotia and Quebec.

In terms of residential B&E, Ontario (-2%) and Alberta (-4%) were the only provinces to show a decrease in 1996 (Table 3). Newfoundland reported the largest increase (+28%). After four years of decline, Nova Scotia's rate jumped 14% in 1996.

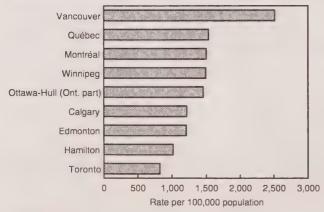
Business B&E declined in five of the ten provinces in 1996 (Table 3). Increases in Quebec and British Columbia followed four years of either decreases or little growth.

# Among the nine largest cities, Vancouver ranks highest

Among Canada's nine largest census metropolitan areas (CMAs),<sup>2</sup> Vancouver reported the highest rate of B&E in 1996 (Figure 3). In fact, Vancouver's rate was over 60% higher than Québec City's, the CMA with the second highest rate. As has been the case since 1991, when CMA data first became available, Toronto reported the lowest rate among Canada's largest CMAs.

Figure 3

# Breaking and entering, Census Metropolitan Areas with populations of 500,000 and over, 1996



Source: Table 4.

In 1996, rates decreased in five of the nine largest CMAs, with the greatest drop in Ottawa (-16%) (Table 4). After decreasing four years in a row, Québec City reported a substantial increase in 1996 (+17%). Ottawa and Vancouver are the only CMAs to report higher rates in 1996 than in 1991. However, while Ottawa's rate fell substantially in 1996, Vancouver's grew by 3%.

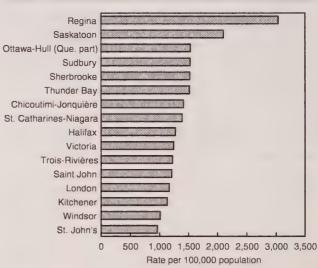
Only Ottawa (-9%), Edmonton (-6%) and Toronto (-2%) showed decreases in the rate of residential B&E in 1996 (Table 5). Ottawa's decrease follows three years of growth, including a 31% jump in 1995. Police in Québec City (+21%) reported the greatest increase in 1996.

Business B&E fell in five of the nine CMAs, with the largest decrease reported in Ottawa (-29%). Of the four cities showing increases, Québec reported the greatest growth in 1996 (+17%).

Among all 25 CMAs, Regina reported the highest rate (Figure 4). In 1996, rates grew in eight of the sixteen smaller CMAs, with Windsor (+29%), St. John's (+21%) and Saint John (+18%) reporting the greatest increases (Table 4). The largest drops were seen in Thunder Bay (-20%) and London (-16%). Only two CMAs have shown increases since 1991: Saint John (+27%) and Saskatoon (+23%).

Figure 4

# Breaking and entering, Census Metropolitan Areas with populations of 100,000 to 499,999, 1996



Source: Table 4.

<sup>&</sup>lt;sup>2</sup> A census metropolitan area (CMA) is an area with a large urban core (over 100,000 population) having adjacent urban and rural areas that have a high degree of economic and social integration.

# Police initiatives to reduce B&E

Decreases in rates in some cities may be the result of specific police initiatives aimed at reducing B&E. Some researchers, and police themselves, argue that it is usually a small number of offenders who are responsible for the majority of B&Es.<sup>3</sup> Therefore, to reduce B&E, some cities have set up initiatives based on this notion. Initiatives usually include: the establishment of special response units; the identification and targeting of repeat or organized offenders; the use of technology to improve communication, crime analysis and investigation; improved communication with victims and potential witnesses; and, changes in case management strategies.

The Ottawa-Carleton Regional Police Service is an example of a police department attributing their recent decline in B&E to special initiatives.<sup>4</sup> Recently, their B&E unit established special surveillance teams and began using innovative investigative software to compile detailed information on each B&E. These detailed data allow the police to profile likely suspects, and the surveillance teams are assigned specifically to catch the suspects. The unit's strategy is simple: if they are able to keep those few offenders responsible for the majority of B&Es off the streets, the incidents of B&E should decrease.

# **CHARACTERISTICS OF B&E INCIDENTS**

# Residences targeted for audio/video equipment, businesses for money

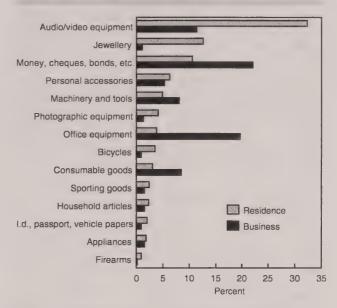
The type of property stolen from residences versus businesses is quite different. While almost one-third of property stolen from residences was audio/video equipment such as televisions, stereos and VCRs, the same was true of just over one in ten items stolen from businesses (Figure 5). Other types of property most frequently taken from residences included: jewellery (13%); money, cheques or bonds (11%); personal accessories (e.g. clothing) (6%); machinery and tools (5%); photographic equipment (4%); office equipment (e.g. home computers, fax machines) (4%); and, bicycles (3%).

In addition to audio/video equipment (11%), thieves who broke into businesses most often stole money, cheques or bonds (22%), office equipment (20%), consumable goods (e.g. liquor and cigarettes) (9%), machinery and tools (8%) and personal accessories (5%). Jewellery accounted for just 1% of items stolen from businesses.

Although firearms accounted for very few items stolen during a B&E, they were more frequently stolen from homes (0.9%) than businesses (0.2%). The sample of 154 police agencies reporting to the Revised UCR Survey in 1996 reported 2,014 firearms stolen during residential B&Es and another 121 stolen during business B&Es. Forty-four percent of the firearms were rifles and another 33% were shotguns. Only 7% were restricted weapons. The 154 police forces reporting these data represent 47% of the national volume of crime.

Figure 5

# Type of property stolen, residential and business B&E, 1996



Source: Non-random sample of 154 police agencies accounting for 47% of the national volume of crime. The data are not nationally representative.

# Claims and cost to the insurance industry are declining

As the rate of B&Es reported to police has fallen over the last five years, so has the number of insurance claims and the cost to the insurance industry. According to the Insurance Bureau of Canada<sup>5</sup>, the number of residential and commercial claims has dropped 30% from 1992 to 1996, and the cost to the insurance industry has fallen 8%. The extent to which this decline may be attributed to victims failing to file claims to avoid increases in premiums is unknown. In 1996, claims for residential and commercial B&Es cost the insurance industry \$398 million, compared to \$434 million in 1992.

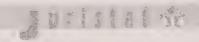
# A sample of police departments suggest home invasions are decreasing

Police-reported data suggest B&Es involving violence are rare. About 1% of *total* B&Es recorded by the Revised UCR survey in 1996 involved a violent offence. Of these, the vast majority involved an assault (72%). Others involved robbery (12%), sexual assault (6%), abduction (5%) and criminal harassment (3%). Nine in ten violent B&Es occurred at a place of residence.

<sup>&</sup>lt;sup>3</sup> Eck, John "E. Solving Crimes: Investigation of Burglary and Robbery." (Washington, DC: Police Executive Research Forum, 1983).

Bagnell, James. "Nabbing robbers with intuition and software," in <u>The Ottawa</u> <u>Citizen</u>, August 26, 1996.

Members of the Insurance Bureau of Canada represent approximately 80% of the total insurance industry.



In recent years, some cities have witnessed the new criminal phenomenon of "home invasions". While no official definition of this crime exists, it is normally characterized by forced entry into a private residence while the occupants are home and involves violence against the occupants. Broadly defined, it encompasses both robberies that occur at a place of residence and residential B&Es involving any other type of violent offence. Compared to the total number of robberies and B&Es reported to police, however, those that are characterized as home invasions are rare. Regardless, this type of crime is particularly frightening to the victim as it involves an attack within the sanctity of one's home. A sample of police forces reporting to the Revised UCR Survey reported 2.470 of these incidents in 1996. Almost half of these involved robbery of the occupants. Police data suggest that the number of home invasions grew slightly from 1993 to 1994 (+1%), but decreased 10% in 1995 and 8% in 1996.6

# REPORTING TO POLICE

Victimization surveys show that B&E is a crime very likely to be reported to police. Results from the 1996 International Crime Victimization Survey revealed that 85% of Canadian respondents who experienced a residential B&E during 1995 reported it to the police. This same survey was also conducted in 1989 and 1992, and both years showed similar results (81% and 82%, respectively). The only other crime to rate higher in terms of reporting to police is motor vehicle theft.

When asked why they reported the incident to police, respondents most frequently stated that they felt a duty to do so (41%). Though respondents could give more than one reason for doing so, just one-quarter stated they had reported to police for insurance purposes. Other reasons included: to punish the offender (25%); to recover their property (22%); and, to prevent the incident from happening again (14%).

# PREVENTION OF B&E

As one-third of Canadians feel they are likely to fall victim to a residential B&E<sup>8</sup>, many people take measures to secure their home. More than half of all Canadians have installed special door locks and over a third participate in Neighbourhood Watch programs (Hung, 1996). Other steps taken include keeping a dog (30%), and installing special bars (21%), high fences (20%) or burglar alarms (20%). About one in ten Canadians take no preventive measures and almost one-third do not arrange for someone to watch their home while away for short periods.

# **CLEARANCE RATES**

Police data suggest that, as with most property crimes, incidents of B&E are rarely solved. In 1996, 16% of B&E incidents were cleared either by laying a charge against an accused or were cleared otherwise. A sample of police data show that almost half of incidents "cleared otherwise" are due to police not laying charges because the accused person is already involved in other crimes being handled by the police. Clearance rates for B&E have been decreasing steadily since 1986 when 21% of incidents were cleared. Moreover, the clearance rate for B&E was lower than the rate for the total of all other property crimes (24% in 1996).

Percentages add to more than 100 as multiple responses were allowed.

8 1996 International Crime Victimization Survey.

#### Tips to protect your home or business from B&E

#### To protect your home...

Illuminate your front and rear door at night.

Do not hide keys around the exterior of your residence.

Mark all household valuables with your social insurance number or your driver's license for easy identification.

Install deadbolt locks on all exterior doors.

If you will not be returning to your home until after dusk, ensure that several lights in your home are on timers to give the appearance that
the house is occupied.

Install a peep-hole in your entrance door. Avoid opening your door unless you know who is there. Do not rely on a door chain-lock.

Close curtains or blinds to conceal valuables from thieves who "window shop".

 Install bars on basement windows. To allow an escape route in case of fire, be sure at least one set of window bars can be opened from the interior.

## To protect your business...

Illuminate your front and rear doors at night.

Consider installing a security film on windows to discourage thieves from breaking glass to enter.

Alarm systems, if properly installed, are an effective deterrent when used correctly.

• Empty cash drawers at the end of the business day and leave the cash register open after hours. Use signage to clearly identify that no money is kept on the premises.

To discourage thieves who "window shop" before breaking in, close blinds and curtains to obscure the view of valuables (e.g. computers, fax machines) from the exterior.

Contact your local police for more information. Most police services offer free business security evaluations.

Source: The Ottawa-Carleton Regional Police Service.

<sup>6</sup> These data are based on 61 police agencies that have been reporting consistently to the Revised UCR Survey since 1993. These are mostly from Quebec and Ontario and represent 29% of the national volume of crime. Please see the methodology section for more details.

An incident "cleared otherwise" means that a person was identified in connection with the incident and against whom a charge could be laid but was not for various reasons (e.g. under 12 years of age; already involved in other crimes for which charges have already been laid; accused already sentenced).

Researchers and police explain low clearance rates by referring to the idea that it is usually a small number of offenders who are responsible for the majority of B&Es. Police have found that once an offender is caught, police can clear the offence for which he or she has been accused, but they may not have the resources to link this accused to previous B&Es. As such, previous B&Es will remain unsolved. In addition, in an effort to reduce the number of B&Es, some forces have deliberately moved their resources toward targeting known offenders and away from closing cases. <sup>10</sup>

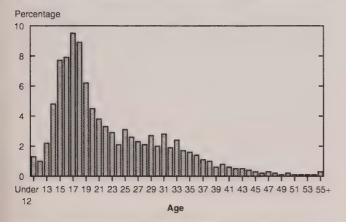
# PERSONS CHARGED

## Six in ten persons charged are adults

In 1996, over 46,200 persons were caught and charged by police for committing this crime (Table 6).<sup>11</sup> Of these, 60% were adults and 40% were youths aged 12 to 17 years, a distribution that has changed very little since 1986, the year the *Young Offenders Act* was implemented across all provinces and territories. A sample of police departments show that a large portion of persons accused<sup>12</sup> of B&E were aged 15 to 19 years (Figure 6). The vast majority of persons charged with B&E were male (93%).

Figure 6

# Age of persons accused of breaking and entering, 1996



**Source:** Non-random sample of 154 police agencies accounting for 47% of the national volume of crime. The data are not nationally representative.

In recent years, the number of persons charged has been decreasing dramatically (Table 6). For instance, from 1991 to 1996 the number declined steadily, falling 30%. This drop can be explained by the decrease in the number of incidents reported from 1991 to 1996 (-9%) and the small decrease in the rate of incidents cleared by charge: 13% were cleared by charge in 1991 compared to 10% in 1996. While the number of females charged has not been falling to the same extent as the number of males, it is still 10% lower than in 1992.

# **COURT DISPOSITIONS AND SENTENCING**

# Four in ten youths convicted of B&E were repeat offenders

During the fiscal year 1995-96, youth courts across Canada handled 12,481 cases of youths charged with B&E.<sup>13</sup> Of these cases, 76% were found guilty. Of those found guilty, 56% received probation as the most serious sentence.

Compared to the remaining property crime caseload (i.e. total property caseload minus B&E), cases of B&E were more likely to receive a sentence of open custody (21% versus 15%) or secure custody (18% versus 10%). This is not surprising given that the *Criminal Code* proclaims B&E a more serious offence than other property crimes like arson, theft and mischief. For both open and secure custody, the median<sup>14</sup> sentence length for those convicted of B&E was 90 days. Table 7 shows the use of custody for this crime has changed very little in recent years.

Forty-three percent of youth court B&E cases that resulted in conviction in 1995-96 involved repeat offenders<sup>15</sup> (Table 8). This proportion is similar to the number of repeat offenders in the remaining property crime caseload (42%). Males convicted of B&E were more likely to be repeat offenders than females (44% versus 26%), a finding which is also true of the remaining property crime caseload.

Sentences to custody for repeat young offenders increased with the number of previous convictions and, conversely, the use of probation declined (Table 9). While eight in ten persistent offenders (those with three or more prior convictions) received custody as their most serious sentence, the same is true for slightly more than four in ten youths with just one prior conviction. The vast majority of first-time offenders received probation as their most serious sentence (76%).

For both first-time offenders and repeat offenders, sentences were harsher for youths convicted of B&E than for those convicted of any other property crime. For example, while 18% of first-time offenders convicted of B&E were sentenced to some form of custody, the same is true of only 8% of the remaining property crime caseload (Table 9). Repeat offenders convicted of B&E were also more likely to receive custody than repeat offenders in the remaining property crime caseload (59% versus 36%). Again, this difference is expected given B&E is a more serious form of property crime.

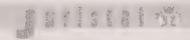
<sup>13</sup> Where B&E was the most significant charge. These data are collected through the Youth Court Survey. Please refer to the methodology section for more details.

<sup>14</sup> Median refers to the middle number when all numbers are ordered from lowest to highest.

15 For the purpose of this report, a repeat offender is a youth convicted of B&E in 1995-96 with previous convictions of any kind, not just B&E. Please refer to the methodology section for more details.

<sup>&</sup>lt;sup>10</sup> The Ottawa-Carleton Regional Police Service is an example of a police service using this strategy.

<sup>&</sup>lt;sup>11</sup> Reflects persons charged in incidents where the most serious offence was B&E.
<sup>12</sup> Under the UCR survey, an accused is a person who has been identified as a suspect in an incident and against whom a charge has either been laid or could be laid in connection with that incident. Charges may not have been laid for various reasons (e.g. under 12 years of age; already involved in other crimes for which charges have already been laid).



# Almost seven in ten adults convicted of B&E in provincial court are imprisoned

In 1995-96, a sample of 403 adult provincial courts dealt with 15.348 cases of B&E.16 Of these, 5% (733 cases) were transferred to a superior court, the outcome of which is unknown as data are not available. Among the remaining cases, 68% ended in a finding of guilt. The majority of convictions resulted with imprisonment as the most serious sentence (67%), while just under one-third received probation as the most serious sentence. The median length of prison sentences was 180 days. Although recidivism data are not available from the Adult Criminal Court Survey, sentences for adults are likely more severe than sentences for youth because of lengthier criminal histories. Compared to convictions for other types of property crimes, cases of B&E were more likely to be sentenced to prison. For example, 55% of arson convictions resulted in imprisonment, as did 36% of convictions for fraud.

# More Canadians looking to imprisonment as the answer

The 1996 International Crime Victimization Survey asked respondents which sentence they considered most appropriate for a recidivist burglar – a man aged 21 who is found guilty of residential B&E for the second time having stolen a colour television. This question was asked each of the three years the survey was conducted (i.e., 1989, 1992 and 1996).

Compared to 1989, attitudes toward punishment have become more severe: while 32% of Canadians chose imprisonment as the most appropriate sentence in 1989, 43% expressed this choice in 1996. Accordingly, fewer Canadians chose community service orders in 1996 (30% versus 39% in 1989) or fines (8% versus 11%) (van Dijk and Mayhew, 1996).

# **METHODOLOGY**

Uniform Crime Reporting (UCR) Survey – The Canadian Centre for Justice Statistics, in co-operation with the policing community, collects police-reported crime statistics through the Uniform Crime Reporting (UCR) Survey. The UCR survey produces a continuous historical record of crime and traffic statistics reported by every police agency in Canada since 1962. UCR data reflect reported crime that has been substantiated through police investigation. Information collected by the survey includes the number of criminal incidents, the clearance status of those incidents and information on persons charged. When an incident involves more than one offence, the incident is counted according to the most serious offence.

Revised UCR Survey - In 1984, the UCR survey was redeveloped to expand the information collected. This new survey, called the Revised UCR survey, is a micro-data survey that allows detailed examinations of accused and victim characteristics, as well as characteristics of the incident itself. As with the aggregate UCR Survey, when an incident involves more than one offence, the incident is counted according to the most serious offence. Detailed information in this Juristat on incidents of B&E and persons charged is based on the results of this survey. In 1996, there were 154 police agencies from six provinces reporting to the Revised UCR survey. The incidents contained in the 1996 Revised UCR data base are distributed as follows: 39% from Quebec, 38% from Ontario, 10% from Alberta, 8% from British Columbia, 4% from Saskatchewan, and 1% from New Brunswick. Data from this non-representative sample are mostly from urban areas and account for 47% of the national volume of crime.

The Revised UCR Survey Time Series Data base is a subset of the data collected by the Revised UCR Survey. It contains detailed information on incidents, accused persons and victims reported by a sample of 61 police agencies that reported consistently to the Revised UCR Survey from 1993 to 1996. The incidents reported by these agencies, which include Montreal, Toronto and Vancouver, are distributed as follows: 42% from Quebec, 36% from Ontario, 14% from British Columbia, 7% from Saskatchewan, and 1% from New Brunswick. In total, these incidents account for 29% of the national volume of crime. These data are not nationally representative. The time series information on home invasions in this report is based on findings from this data base.

1996 International Crime Victimization Survey (ICVS) – The ICVS is a survey on criminal victimization that was conducted in over 30 countries worldwide, including industrialized and developing countries. It was coordinated by the Ministry of Justice of the Netherlands and the United Nations Interregional Crime and Justice Research Institute. In Canada, the survey was funded by the Department of Justice, the Canadian Centre for Justice Statistics and the Ministry of the Solicitor General. A total of 2,134 persons aged 16 years or older were randomly selected across Canada and were interviewed by telephone about their experiences with crime during 1995, their reasons for reporting or not reporting to police, their feelings of safety, security measures taken, and their perception of the justice system.

Youth Court Survey – This survey is a census of *Criminal Code* and other federal statute offences heard in youth court for youths aged 12 to 17 (up to the 18<sup>th</sup> birthday) at the time of the offence. Where there are multiple charges in a case, cases are classified according to the most serious charge. For more details on the Youth Court Survey, please refer to *Youth Court Statistics 1995-96* (catalogue 85-522-XPB).

Analysis on youth recidivism excludes data from Nova Scotia because of the way court systems are structured in that province. The definition of a repeat offender in this report is a young person who was found guilty of B&E (most serious charge) during 1995-96 and had been previously convicted in a youth court since 1986-87 of at least one other federal

<sup>&</sup>lt;sup>16</sup> Based on data from the Adult Criminal Court Survey. Data are collected from courts in nine jurisdictions. Forty percent of these B&E cases originate from Ontario and 32% from Quebec. These cases represent those where B&E is the most serious offence in the case. Please refer to the methodology section for more details.

statute charge. Cases were matched using the youth's identification code, sex, date of birth and province of conviction. It should be noted that previous convictions for violations under the *Young Offenders Act* and administrative offences under the *Criminal Code* (e.g. failure to appear, failure to comply with a probation order) are excluded from this analysis. These were excluded in order to focus the analysis on those instances where a young offender, having previously been convicted and punished for committing a criminal act, commits another offence independent of the administrative process.

Due to the limitation in the methodology used to identify young persons and their prior convictions, these data on recidivism are a conservative estimate. Variations in youth court coding practices, the undetected use of aliases, and the movement of offenders among provinces and territories may have resulted in some cases of recidivism being captured as first-time offenders. As well, these data on recidivism do not consider any previous participation in Alternative Measures or any other court diversion program.

Adult Criminal Court Survey (ACCS) – This survey is intended to be a census of federal and provincial/territorial statute charges and municipal by-law infractions heard in provincial criminal courts in Canada. The ACCS collects detailed data on completed charges, appearances and cases for federal statute charges, and aggregate data on completed and pending charges, appearances and cases for both federal and provincial statutes and municipal by-law offences.

Coverage limitations may have an impact on the final dispositions reported by the ACCS. The absence of national coverage for provincial/territorial courts, and the lack of data from municipal, superior and appeal courts represent current limitations of the survey. Moreover, not all provincial/territorial

court locations in participating jurisdictions are reporting to the survey. Quebec's 140 municipal courts do not report to the survey and it is estimated that 20% of federal statute charges in Quebec are heard in these courts. The ACCS currently collects data from provincial criminal courts in nine jurisdictions: Newfoundland (10 courts); Prince Edward Island (5 courts); Nova Scotia (38 courts); Quebec (54 courts); Ontario (92 courts); Saskatchewan (16 courts); Alberta (104 courts); Yukon (18 courts); and, the Northwest Territories (66 courts). The most serious offence rule applies where a case includes more than one charge. Please refer to "Adult Criminal Court Statistics, 1995-96" Juristat Vol.17, No. 6 (catalogue 85-002 XPE) for more details.

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Table 1

# Breaking and entering in Canada, 1986-1996

|                   |                         | Total   |                   |  | Re      | sidential         |  |         | Business          |  | Other  |                   |  |
|-------------------|-------------------------|---------|-------------------|--|---------|-------------------|--|---------|-------------------|--|--------|-------------------|--|
|                   | Population <sup>1</sup> | Number  | Rate <sup>2</sup> | Annual %<br>change<br>in rate <sup>3</sup> | Number  | Rate <sup>2</sup> | Annual %<br>change<br>in rate <sup>3</sup> | Number  | Rate <sup>2</sup> | Annual %<br>change<br>in rate <sup>3</sup> | Number | Rate <sup>2</sup> | Annual %<br>change<br>in rate <sup>3</sup> |
| 1986              | 26,203,800              | 365,140 | 1,393             | 1.3  | 217,675 | 831               | 1.0  | 101,536 | 387               | 1.7  | 45,929 | 175               | 2.3  |
| 1987              | 26,549,700              | 364,144 | 1,372             | -1.6                                       | 219,324 | 826               | -0.6                                       | 99,733  | 376               | -3.1                                       | 45,087 | 170               | -3.1                                       |
| 1988              | 26,894,800              | 359,198 | 1,336             | -2.6                                       | 214,101 | 796               | -3.6                                       | 101,377 | 377               | 0.3  | 43,720 | 163               | -4.3                                       |
| 1989              | 27,379,300              | 348,430 | 1,273             | -4.7                                       | 200,836 | 734               | -7.9                                       | 102,886 | 376               | -0.3                                       | 44,681 | 163               | 0.4  |
| 1990              | 27,790,600              | 379,364 | 1,365             | 7.3  | 215,284 | 775               | 5.6  | 117,399 | 422               | 12.4                                       | 46,681 | 168               | 2.9  |
| 1991              | 28,120,100              | 434,602 | 1,546             | 13.2                                       | 246,716 | 877               | 13.3                                       | 134,432 | 478               | 13.2                                       | 53,454 | 190               | 13.2                                       |
| 1992              | 28,542,200              | 427,153 | 1,497             | -3.2                                       | 245,453 | 860               | -2.0                                       | 128,514 | 450               | -5.8                                       | 53,186 | 186               | -2.0                                       |
| 1993              | 28,946,800              | 406,421 | 1,404             | -6.2                                       | 239,322 | 827               | -3.9                                       | 115,757 | 400               | -11.2                                      | 51,342 | 177               | -4.8                                       |
| 1994              | 29,255,600              | 387,867 | 1,326             | -5.6                                       | 227,199 | 777               | -6.1                                       | 110,480 | 378               | -5.6                                       | 50,188 | 172               | -3.3                                       |
| 1995 <sup>r</sup> | 29,615,300              | 390,682 | 1,319             | -0.5                                       | 235,129 | 794               | 2.2  | 108,749 | 367               | -2.8                                       | 46,804 | 158               | -7.9                                       |
| 1996              | 29,963,600              | 396,085 | 1,322             | 0.2  | 242,132 | 808               | 1.8  | 110,073 | 367               | -  | 43,880 | 146               | -7.3                                       |

revised.

Population estimates provided by Statistics Canada, Census and Demographic Statistics, Demography Division.

Populations as of July 1st: revised intercensal estimates from 1986-1990; final postcensal estimates for 1991 and 1992; updated postcensal estimates for 1993, 1994 and 1995; preliminary postcensal estimates for 1996.

Rate of incidents per 100,000 population.

<sup>&</sup>lt;sup>3</sup> Percentage changes based on non-rounded rates.

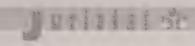


Table 2

## Breaking and entering by province/territory, 1991-1996

| Province/territory                       | 19911            | 1992             | 1993                  | 1994             | 1995 <sup>r</sup> | 1996                     | Percent change<br>in rate<br>1995-1996 <sup>2</sup> | Percent change<br>in rate<br>1991-1996 <sup>2</sup> |
|--|------------------|------------------|-----------------------|------------------|-------------------|--------------------------|---|---|
|  |                  |                  |                       |                  |                   |                          |   |   |
| Newfoundland<br>number<br>rate*          | 5,698<br>982     | 5,134<br>880     | 4, <b>08</b> 9<br>700 | 4,185<br>720     | 3,924<br>681      | 4,223<br>740             | 8.7   | -24.6   |
| Prince Edward Island<br>number<br>taux*  | 1,417<br>1,083   | 1,472<br>1,119   | 1,172<br>880          | 1,023<br>760     | 1,094<br>807      | 1,091<br>795             | -1.5  | -26.7   |
| Nova Scotia<br>number<br>rate*           | 11,733<br>1,278  | 10,664<br>1,153  | 9,378<br>1,008        | 8,774<br>940     | 8,836<br>942      | 9,502<br>1,008           | 7.0   | -21.2   |
| New Brunswick<br>number<br>rate*         | 6,910<br>923     | 7,022<br>933     | 7,404<br>980          | 6,485<br>856     | 6,696<br>881      | 6,882<br>903             | 2.5   | -2.2  |
| Quebec<br>number<br>rate*                | 128,430<br>1,814 | 124,915<br>1,744 | 115,754<br>1,599      | 103,326<br>1,418 | 102,874<br>1,401  | 106,286<br>1,438         | 2.7   | -20.7   |
| Ontario<br>number<br>rate*               | 127,798<br>1,220 | 122,666<br>1,152 | 120,579<br>1,115      | 118,417<br>1,083 | 123,195<br>1,110  | 120,469<br>1,071         | -3.6  | -12.3   |
| Manitoba<br>number<br>rate*              | 19,556<br>1,758  | 18,338<br>1,641  | 19,146<br>1,703       | 20,285<br>1,796  | 16,504<br>1,452   | 16,532<br>1,446          | -0.4  | -17.8   |
| Saskatchewan<br>number<br>rate*          | 17,369<br>1,726  | 18,426<br>1,828  | 16,847<br>1,667       | 17,324<br>1,712  | 18,114<br>1,782   | 1 <b>8</b> ,433<br>1,803 | 1.2   | 4.4   |
| Alberta<br>number<br>rate*               | 43,626<br>1,677  | 43,854<br>1,657  | 38,735<br>1,442       | 33,781<br>1,244  | 31,003<br>1,127   | 31,326<br>1,123          | -0.3  | -33.0   |
| British Columbia<br>number<br>rate*      | 68,976<br>2,041  | 72,046<br>2,072  | 70,720<br>1,978       | 71,845<br>1,957  | 75,688<br>2,011   | 78,622<br>2,039          | 1.4   | -0.1  |
| Yukon Territory<br>number<br>rate*       | 508<br>1,746     | 582<br>1,921     | 616<br>2,026          | 573<br>1,929     | 776<br>2,561      | 760<br>2,413             | -5.8  | 38.2  |
| Northwest Territories<br>number<br>rate* | 1,979<br>3,228   | 2,034<br>3,249   | 1,981<br>3,110        | 1,849<br>2,858   | 1,978<br>3,006    | 1,959<br>2,941           | -2.2  | -8.9  |
| Canada<br>number<br>rate*                | 434,602<br>1,546 | 427,153<br>1,497 | 406,421<br>1,404      | 387,867<br>1,326 | 390,682<br>1,319  | 396,085<br>1,322         | 0.2   | -14.5   |

<sup>\*\*</sup> Rate per 100,000 population. Population estimates provided by Statistics Canada, Census and Demographic Statistics, Demography Division.

Populations as of July 1st. final postcensal estimates for 1991 and 1992; updated postcensal estimates for 1993, 1994 and 1995; preliminary postcensal estimates for 1996.

For 1991, the sum of the numbers for the provinces and territories will not equal the number for Canada because, prior to 1992, data from the CN and CP police were submitted as a whole and not according to jurisdiction.

<sup>&</sup>lt;sup>2</sup> Percentage changes based on non-rounded rates.

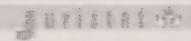


Table 3

# Residential and business breaking and enterings by province/territory, 1996

|                                 |                 | Residential B&E                   |                                   |               | Business B&E                      |                                   |
|---------------------------------|-----------------|-----------------------------------|-----------------------------------|---------------|-----------------------------------|-----------------------------------|
|                                 | 1996            | % change<br>in rate<br>1995-19961 | % change<br>in rate<br>1991-1996¹ | 1996          | % change<br>in rate<br>1995-1996¹ | % change<br>in rate<br>1991-1996¹ |
|                                 |                 |                                   |                                   |               |                                   |                                   |
| Newfoundland<br>number<br>rate* | 2,478<br>434    | 28.3                              | 2.7                               | 1,149<br>201  | -14.5                             | -44.3                             |
| Prince Edward Island            |                 |                                   |                                   |               |                                   |                                   |
| number<br>rate*                 | 539<br>393      | 1.2                               | 6.8                               | 399<br>291    | -6.2                              | -47.6                             |
| Nova Scotia                     |                 |                                   |                                   |               |                                   |                                   |
| number<br>rate*                 | 5,450<br>578    | 14.1                              | -17.7                             | 2,253<br>239  | 3.4                               | -40.0                             |
| New Brunswick                   |                 |                                   |                                   |               |                                   |                                   |
| number<br>rate*                 | 3,825<br>502    | 2.5                               | 2.7                               | 2,039<br>267  | 0.8                               | -9.7                              |
| Quebec                          |                 |                                   |                                   |               |                                   |                                   |
| number rate*                    | 75,092<br>1,016 | 4.1                               | 40.0                              | 26,384        | 6.0                               | 05.5                              |
| Tale                            | 1,010           | 4.1                               | -10.9                             | 357           | 6.2                               | -25.5                             |
| Ontario                         | 70.000          |                                   |                                   | 05 444        |                                   |                                   |
| number<br>rate*                 | 72,336<br>643   | -1.5                              | -5.0                              | 35,114<br>312 | -7.8                              | -26.7                             |
| Manitoba                        |                 |                                   |                                   |               |                                   |                                   |
| number                          | 9,480           |                                   |                                   | 3,878         |                                   |                                   |
| rate*                           | 829             | 2.2                               | -18.9                             | 339           | -1.5                              | -22.3                             |
| Saskatchewan                    |                 |                                   |                                   |               |                                   |                                   |
| number<br>rate*                 | 11,376<br>1,113 | 9.5                               | 19.1                              | 4,284<br>419  | -7.5                              | -19.1                             |
|                                 | .,              | 0.0                               |                                   | 170           |                                   | 10.1                              |
| Alberta<br>number               | 15,841          |                                   |                                   | 10,449        |                                   |                                   |
| rate*                           | 568             | -3.7                              | -35.0                             | 375           | 0.2                               | -34.3                             |
| British Columbia                |                 |                                   |                                   |               |                                   |                                   |
| number                          | 44,478          |                                   |                                   | 23,055        |                                   |                                   |
| rate*                           | 1,154.          | 0.8                               | 4.0                               | 598           | 8.7                               | -4.9                              |
| Yukon                           |                 |                                   |                                   |               |                                   |                                   |
| number<br>rate*                 | 421<br>1,337    | -0.3                              | 63.4                              | 228<br>724    | 19.8                              | 6.4                               |
|                                 | .,              |                                   | 331.                              | ,             |                                   | 0.7                               |
| Northwest Territories<br>number | 816             |                                   |                                   | 841           |                                   |                                   |
| rate*                           | 1,225           | -3.3                              | -13.0                             | 1,263         | -3.7                              | 1.1                               |
| Canada                          |                 |                                   |                                   |               |                                   |                                   |
| number                          | 242,132         | 4.5                               |                                   | 110,073       |                                   |                                   |
| rate* - nil or zero.            | 808             | 1.8                               | -7.9                              | 367           | •                                 | -23.1                             |

nil or zero.
 Rate per 100,000 population. Population estimates provided by Statistics Canada, Census and Demographic Statistics, Demography Division.
 Populations as of July 1st final postcensal estimates for 1991; updated postcensal estimates for 1995, preliminary postcensal estimates for 1996.

<sup>&</sup>lt;sup>1</sup> Percentage changes based on non-rounded rates.

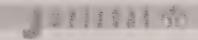


Table 4

## Breaking and entering by Census Metropolitan Area (CMA), 1996

| CMA  | Population <sup>1</sup>   | Breaking and enterings  | Rate per<br>100,000<br>population   | Percent change<br>in rate<br>1995-1996 <sup>2</sup>                 | Percent change<br>in rate<br>1991-1996 <sup>2</sup>                        |
|--|---|---|---|---|--|
| Population 500,000 and over  |   |   |   |   |  |
| Vancouver<br>Québec<br>Montréal<br>Winnipeg<br>Ottawa-Hull (Ont. part)<br>Calgary<br>Edmonton<br>Hamilton<br>Toronto | 1,883,679<br>699,035<br>3,365,160<br>680,285<br>781,147<br>853,711<br>890,771<br>657,230<br>4,410,269 | 47,272<br>10,723<br>50,507<br>10,148<br>11,369<br>10,380<br>10,750<br>6,674<br>36,300 | 2,510<br>1,534<br>1,501<br>1,492<br>1,455<br>1,216<br>1,207<br>1,015<br>823 | 3.0<br>17.1<br>-0.2<br>-2.6<br>-15.9<br>4.3<br>-2.1<br>2.6<br>-4.1  | 4.8<br>-17.3<br>-25.7<br>-23.1<br>9.5<br>-30.0<br>-42.2<br>-14.3<br>-22.0  |
| Population 250,000 to 499,999 <sup>3</sup>   |   |   |   |   |  |
| Ottawa-Hull (Que. part) St. Catharines-Niagara <sup>4</sup> Halifax Victoria London Kitchener <sup>4</sup> Windsor   | 258,160<br>422,608<br>344,135<br>315,168<br>420,614<br>427,054<br>294,063                             | 3,954<br>5,868<br>4,378<br>3,911<br>4,904<br>4,827<br>2,973                           | 1,532<br>1,389<br>1,272<br>1,241<br>1,166<br>1,130<br>1,011                 | 5.5<br>-5.8<br>4.6<br>-10.2<br>-15.9<br>14.8<br>28.6                | -15.3<br>-6.2<br>-28.6<br>-15.5<br>-18.8<br>-14.0<br>-33.3                 |
| Population 100,000 to 249,999  |   |   |   |   |  |
| Regina Saskatoon Sudbury Sherbrooke Thunder Bay Chicoutimi-Jonquière Trois-Rivières Saint John St. John's            | 199,243<br>223,524<br>166,661<br>148,925<br>130,006<br>167,854<br>142,028<br>129,380<br>175,249       | 6,045<br>4,693<br>2,543<br>2,267<br>1,971<br>2,368<br>1,735<br>1,566<br>1,684         | 3,034<br>2,100<br>1,526<br>1,522<br>1,516<br>1,411<br>1,222<br>1,210<br>961 | -3.5<br>4.9<br>-8.2<br>-3.1<br>-20.4<br>-6.8<br>7.7<br>18.3<br>21.0 | -0.3<br>22.6<br>-35.4<br>-36.8<br>-16.1<br>-17.2<br>-27.7<br>27.3<br>-24.8 |
| Canada   | 29,963,600  | 396,085   | 1,322   | 0.2   | -14.5  |

Population estimates provided by Statistics Canada, Census and Demography Statistics, Demography Division.
 Population estimates as of July 1st: preliminary postcensal estimates for 1996.
 Percentage changes based on non-rounded rates.
 The Oshawa Census Metropolitan Area (CMA) is excluded from this table due to methodological concerns with the matching of the police force jurisdictional boundaries and the CMA beneficial. boundaries.

<sup>4</sup> Populations have been adjusted to match the police force's jurisdictional boundaries.

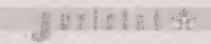


Table 5

# Residential and business breaking and enterings by Census Metropolitan Area, 1996

|                                |                | Reside                    | ntial B&E                         |   |                | Bus                       | iness B&E                         |                                   |
|--------------------------------|----------------|---------------------------|-----------------------------------|---|----------------|---------------------------|-----------------------------------|-----------------------------------|
|                                | 1996<br>number | 1996<br>rate <sup>1</sup> | % change<br>in rate<br>1995-1996² | % change<br>in rate<br>1991-1996 <sup>2</sup> | 1996<br>number | 1996<br>rate <sup>1</sup> | % change<br>in rate<br>1995-1996² | % change<br>in rate<br>1991-1996² |
| Population 500,000 and over    |                |                           |                                   |   |                |                           |                                   |                                   |
| Vancouver                      | 26,129         | 1,387                     | 1.2                               | 1.0   | 14,692         | 780                       | 15.3                              | 13.3                              |
| Québec                         | 7,396          | 1,058                     | 21.3                              | -13.8   | 2,446          | 350                       | 17.1                              | -22.4                             |
| Montréal                       | 35,512         | 1,055                     | 1.6                               | -18.8   | 12,901         | 383                       | 1.3                               | -29.2                             |
| Winnipeg                       | 6,050          | 889                       | 0.4                               | -25.7   | 2,052          | 302                       | -5.4                              | -27.0                             |
| Ottawa-Hull (Ont. part)        | 7,933          | 1,016                     | -8.8                              | 22.8  | 3,004          | 385                       | -29.4                             | -15.0                             |
| Calgary                        | 5,610          | 657                       | 2.1                               | -12.5   | 3,635          | 426                       | 11.4                              | -32.9                             |
| Edmonton                       | 5,388          | 605                       | -6.3                              | -54.2   | 3,264          | 366                       | -7.8                              | -40.1                             |
| Hamilton                       | 4,005          | 609                       | 9.6                               | -7.5  | 1,355          | 206                       | -14.1                             | -32.9                             |
| Toronto                        | 21,586         | 489                       | -1.6                              | -14.7   | 13,554         | 307                       | -7.6                              | -30.2                             |
| Population 250,000 to 499,9993 |                |                           |                                   |   |                |                           |                                   |                                   |
| Ottawa-Hull (Que. part)        | 2,854          | 1,106                     | 8.1                               | -8.5  | 806            | 312                       | 18.5                              | -9.5                              |
| St. Catharines-Niagara4        | 3,447          | 816                       | -9.2                              | -1.9  | 1,808          | 428                       | 3.8                               | -13.1                             |
| Halifax                        | 2,617          | 760                       | 16.7                              | -31.3   | 1,092          | 317                       | -0.9                              | -36.9                             |
| Victoria                       | 2,443          | 775                       | -4.9                              | 9.9   | 899            | 285                       | -22.6                             | -48.4                             |
| London                         | 2,658          | 632                       | -14.2                             | -24.7   | 1,761          | 419                       | -18.9                             | -15.2                             |
| Kitchener <sup>4</sup>         | 3,010          | 705                       | 13.0                              | 3.3   | 1,477          | 346                       | 5.8                               | -35.0                             |
| Windsor                        | 1,776          | 604                       | 34.2                              | -36.6   | 889            | 302                       | 31.5                              | -32.8                             |
| Population 100,000 to 249,999  |                |                           |                                   |   |                |                           |                                   |                                   |
| Regina                         | 4,268          | 2,142                     | 6.0                               | 16.0  | 1,242          | 623                       | -22.5                             | -25.4                             |
| Saskatoon                      | 3,256          | 1,457                     | 15.0                              | 37.9  | 868            | 388                       | 3.0                               | -15.3                             |
| Sudbury                        | 1,344          | 806                       | -7.2                              | -31.2   | 509            | 305                       | -0.4                              | -61.1                             |
| Sherbrooke                     | 1,685          | 1,131                     | -3.8                              | -37.3   | 550            | 369                       | 7.4                               | -10.8                             |
| Thunder Bay                    | 1,039          | 799                       | -24.8                             | -24.2   | 368            | 283                       | -17.2                             | -43.6                             |
| Chicoutimi-Jonquière           | 1,728          | 1,029                     | -6.5                              | -5.1  | 593            | 353                       | 1.2                               | -25.4                             |
| Trois-Rivières                 | 1,254          | 883                       | 8.1                               | -2.8  | 440            | 310                       | 6.7                               | -33.5                             |
| Saint John                     | 1,060          | 819                       | 25.6                              | 68.4  | 415            | 321                       | 3.2                               | -6.5                              |
| St. John's                     | 1,179          | 673                       | 33.3                              | 15.5  | 418            | 239                       | 10.3                              | -52.6                             |
| Canada                         | 242,132        | 808                       | 1.8                               | -7.9  | 110,073        | 367                       |                                   | -23.1                             |

<sup>-</sup> nil or zero.

Population estimates provided by Statistics Canada, Census and Demography Statistics, Demography Division.
Population estimates as of July 1st: preliminary postcensal estimates for 1996.

<sup>&</sup>lt;sup>2</sup> Percentage changes based on non-rounded rates

<sup>3</sup> The Oshawa Census Metropolitan Area (CMA) is excluded from this table due to methodological concerns with the matching of the police force jurisdictional boundaries and the CMA

<sup>&</sup>lt;sup>4</sup> Populations have been adjusted to match the police force's jurisdictional boundaries.

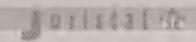


Table 6

## Persons charged with breaking and entering<sup>1</sup>, Canada, 1986-1996

|      | Tetal                       | Adults (18 | years and   | older)     | Youths ( | 12 to 17 yea | ars)       |        | Males       |            | Females |             |               |
|------|-----------------------------|------------|-------------|------------|----------|--------------|------------|--------|-------------|------------|---------|-------------|---------------|
|      | Total<br>persons<br>charged | number     | %<br>change | % of total | number   | %<br>change  | % of total | number | %<br>change | % of total | number  | %<br>change | % of<br>total |
| 1986 | 66,175                      | 38,804     |             | 58.6       | 27,371   |              | 41.4       | 63,125 | 0.0         | 95.4       | 3,050   | ••          | 4.6           |
| 1987 | 64,002                      | 38,681     | -0.3        | 60.4       | 25,321   | -7.5         | 39.6       | 60,943 | -3.5        | 95.2       | 3,059   | 0.3         | 4.8           |
| 1988 | 61,265                      | 37,371     | -3.4        | 61.0       | 23,894   | -5.6         | 39.0       | 58,230 | -4.5        | 95.0       | 3,035   | -0.8        | 5.0           |
| 1989 | 55,297                      | 33,142     | -11.3       | 59.9       | 22,155   | -7.3         | 40.1       | 52,340 | -10.1       | 94.7       | 2,957   | -2.6        | 5.3           |
| 1990 | 59,558                      | 35,492     | 7.1         | 59.6       | 24,066   | 8.6          | 40.4       | 56,284 | 7.5         | 94.5       | 3,274   | 10.7        | 5.5           |
| 1991 | 66,120                      | 39,219     | 10.5        | 59.3       | 26,901   | 11.8         | 40.7       | 62,622 | 11.3        | 94.7       | 3,498   | 6.8         | 5.3           |
| 1992 | 62,976                      | 38,229     | -2.5        | 60.7       | 24,747   | -8.0         | 39.3       | 59,323 | -5.3        | 94.2       | 3,653   | 4.4         | 5.8           |
| 1993 | 55,570                      | 33,623     | -12.0       | 60.5       | 21,947   | -11.3        | 39.5       | 52,310 | -11.8       | 94.1       | 3,260   | -10.8       | 5.9           |
| 1994 | 50,099                      | 30,107     | -10.5       | 60.1       | 19,992   | -8.9         | 39.9       | 46,921 | -10.3       | 93.7       | 3,178   | -2.5        | 6.3           |
| 1995 | 46,719                      | 28,065     | -6.8        | 60.1       | 18,654   | -6.7         | 39.9       | 43,432 | -7.4        | 93.0       | 3,287   | 3.4         | 7.0           |
| 1996 | 46,229                      | 27,901     | -0.6        | 60.4       | 18,328   | -1.7         | 39.6       | 42,938 | -1.1        | 92.9       | 3,291   | 0.1         | 7.1           |

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada

Table 7 Number of youth court cases of breaking and entering<sup>1</sup>, by most significant disposition, 1992-93 to 1995-96

|           | Total  | Total |       | Secure<br>custody |       | Open<br>custody |       | Probation |     | Fine |       | Community<br>Service |     | Absolute discharge |     | Other |  |
|-----------|--------|-------|-------|-------------------|-------|-----------------|-------|-----------|-----|------|-------|----------------------|-----|--------------------|-----|-------|--|
|           | n      | %     | n     | %                 | n     | %               | n     | %         | п   | %    | n     | %                    | n   | %                  | n   | %     |  |
| 1992-1993 | 12,454 | 100   | 2,153 | 17.3              | 2,692 | 21.6            | 5,835 | 46.9      | 132 | 1.1  | 1,217 | 9.8                  | 120 | 1.0                | 305 | 2.4   |  |
| 1993-1994 | 11,330 | 100   | 2,022 | 17.8              | 2,464 | 21.7            | 5,113 | 45.1      | 140 | 1.2  | 1,228 | 10.8                 | 101 | 0.9                | 262 | 2.3   |  |
| 1994-1995 | 10,199 | 100   | 1,987 | 19.5              | 2,288 | 22.4            | 5,325 | 52.2      | 83  | 8.0  | 353   | 3.5                  | 88  | 0.9                | 75  | 0.7   |  |
| 1995-1996 | 9,463  | 100   | 1,711 | 18.1              | 2,010 | 21.2            | 5,253 | 55.5      | 59  | 0.6  | 283   | 3.0                  | 59  | 0.6                | 88  | 0.9   |  |

<sup>1</sup> most significant charge.

Source: Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada

<sup>..</sup> Not applicable.

Reflects the number of persons charged in incidents where the most serious offence was breaking and entering.

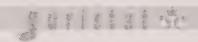


Table 8

# Youth court cases with convictions in 1995-96 by number of prior convictions for any federal offence

|        |        |                          |                        | Cases   | of B&E1  |           |                   | Cases involving other property crimes <sup>1</sup> , excluding B&E |                        |         |          |           |                   |  |  |
|--------|--------|--------------------------|------------------------|---------|----------|-----------|-------------------|--|------------------------|---------|----------|-----------|-------------------|--|--|
|        |        | Total cases <sup>2</sup> | First-time<br>offender | 1 Prior | 2 Priors | 3+ Priors | Total with priors | Total cases <sup>2</sup>   | First-time<br>offender | 1 Prior | 2 Priors | 3+ Priors | Total with priors |  |  |
| Male   | number | 6,990                    | 3,911                  | 1,454   | 739      | 886       | 3,079             | 15,186   | 8,368                  | 3,414   | 1,603    | 1,801     | 6,818             |  |  |
|        | %      | 100                      | 56.0                   | 20.8    | 10.6     | 12.7      | 44.0              | 100  | 55.1                   | 22.5    | 10.6     | 11.9      | 44.9              |  |  |
| Female | number | 637                      | 470                    | 96      | 41       | 30        | 167               | 3,691  | 2,574                  | 718     | 228      | 171       | 1,117             |  |  |
|        | %      | 100                      | 73.8                   | 15.1    | 6.4      | 4.7       | 26.2              | 100  | 69.7                   | 19.5    | 6.2      | 4.6       | 30.3              |  |  |
| Total  | number | 7,627                    | 4,381                  | 1,550   | 780      | 916       | 3,246             | 18,877   | 10,942                 | 4,132   | 1,831    | 1,972     | 7,935             |  |  |
|        | %      | 100                      | 57.4                   | 20.3    | 10.2     | 12.0      | 42.6              | 100  | 58.0                   | 21.9    | 9.7      | 10.4      | 42.0              |  |  |

Where this offence is the most serious charge in the case.

Source: Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada

Table 9

# Youth court cases with convictions in 1995-96 by most significant disposition

|                    |        |                        |         | Cases of B&E <sup>1</sup> |           |                   | Case                   | s involving othe | r property crime | es <sup>1</sup> , excluding B | &E                |
|--------------------|--------|------------------------|---------|---------------------------|-----------|-------------------|------------------------|------------------|------------------|-------------------------------|-------------------|
|                    |        | First-time<br>offender | 1 Prior | 2 Priors                  | 3+ Priors | Total with priors | First-time<br>offender | 1 Prior          | 2 Priors         | 3+ Priors                     | Total with priors |
| Secure custody     | number | 284                    | 281     | 248                       | 475       | 1,004             | 290                    | 336              | 319              | 669                           | 1,324             |
|                    | %      | 6.5                    | 18.1    | 31.8                      | 51.9      | 30.9              | 2.7                    | 8.1              | 17.4             | 33.9                          | 16.7              |
| Open custody       | number | 492                    | 407     | 236                       | 257       | 900               | 585                    | 603              | 396              | 516                           | 1,515             |
|                    | %      | 11.2                   | 26.3    | 30.3                      | 28.1      | 27.7              | 5.3                    | 14.6             | 21.6             | 26.2                          | 19.1              |
| Probation          | number | 3,321                  | 774     | 267                       | 158       | 1,199             | 7,252                  | 2,271            | 769              | 549                           | 3,589             |
|                    | %      | 75.8                   | 49.9    | 34.2                      | 17.2      | 36.9              | 66.3                   | 55.0             | 42.0             | 27.8                          | 45.2              |
| Other              | number | 284                    | 88      | 29                        | 26        | 143               | 2,815                  | 922              | 347              | 238                           | 1,507             |
|                    | %      | 6.5                    | 5.7     | 3.7                       | 2.8       | 4.4               | 25.7                   | 22.3             | 19.0             | 12.1                          | 19.0              |
| Total <sup>2</sup> | number | 4,381                  | 1,550   | 780                       | 916       | 3,246             | 10,942                 | 4,132            | 1,831            | 1,972                         | 7,935             |
|                    | %      | 100                    | 100     | 100                       | 100       | 100               | 100                    | 100              | 100              | 100                           | 100               |

<sup>&</sup>lt;sup>1</sup> Where this offence is the most serious charge in the case.

Source: Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada

<sup>&</sup>lt;sup>2</sup> The number of total cases involving repeat offenders is less than the total number of cases with convictions published in Table 7 and in Youth Court Statistics, 1995-96 (catalogue 85-522-XPB) for three reasons: these data exclude data from Nova Scotia; these data exclude cases where previous convictions were offences against the administration of justice; and, these data are calculated based on the date of disposition and not the date of first appearance in court, meaning that charges in more than one case may have been disposed on the same day. Please refer to the methodology section for more details.

<sup>&</sup>lt;sup>2</sup> The number of total cases involving repeat offenders is less than the total number of cases with convictions published in Table 7 and in Youth Court Statistics, 1995-96 (catalogue 85-522-XPB) for three reasons: these data exclude data from Nova Scotia; these data exclude cases where previous convictions were offences against the administration of justice; and, these data are calculated based on the date of disposition and not the date of first appearance in court, meaning that charges in more than one case may have been disposed on the same day. Please refer to the methodology section for more details.

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## **CRIMINAL VICTIMIZATION: AN INTERNATIONAL PERSPECTIVE**

Results of the 1996 International Crime Victimization Survey

by Sandra Besserer

### HIGHLIGHTS

- According to the 1996 International Crime Victimization Survey (ICVS), 25% of the adult population in Canada reported being victimized in the previous year. In comparison to 10 other western industrialized countries, Canada's figure was about average.
- Results for the five countries that have participated in all three rounds of the ICVS (Canada, England and Wales, Finland, the Netherlands and the United States) indicate that victimization rates are fairly stable. In the 1996 survey, Canada's overall victimization rate fell slightly to 25%, from the 28% recorded in both 1989 and 1992. This mirrors the decline in Canada's police-reported crime rates over the past few years.
- Among the group of 11 western industrialized countries, Canadians were most satisfied with their police. In 1996, 80% of the population felt the police were doing a good job at controlling crime in their area. The Netherlands, which had the highest victimization rate, ranked their police lowest only 45% of the population felt the police were doing a good job.
- When asked to decide on a sentence for a burglar convicted for a second time, people in Canada, England and Wales, Northern Ireland, Scotland and the United States chose prison by a wide margin over other sanctions. By contrast, people in Austria, Finland, France, the Netherlands, Sweden and Switzerland much preferred community service.
- People in Sweden felt safest walking alone in their area after dark: 87% of the population felt 'very' or 'fairly' safe. The figure was lowest for residents of England and Wales (65%). Canada's figure, at 73%, was third lowest among 11 countries.
- Fear of a break-in was highest in France, where 53% of the population felt the chances were 'likely' or 'very likely' that they would experience a break-in in the coming year. Canada had the third highest figure (30%), while Finland had the lowest (11%) in the group of 11 countries. Previous burglary victims were more fearful of a break-in than non-victims.
- A majority of households in the western countries are using home security measures. Usage of at least one of seven home security measures was highest in England and Wales (89% of households). In Canada, 78% of households reported using at least one of the measures. Special door locks were the most popular measure in nine countries, including Canada.







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March 1998 ISSN 0715-271X

Published by authority of the Minister responsible for Statistics Canada.

#### @ Minister of Industry, 1998

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## Introduction

In 1996, the International Crime Victimization Survey (ICVS) was conducted for a third time. Canada was one of more than 30 participating countries. Canada also participated in the two previous surveys (conducted in 1989 and 1992), one of only five western industrialized countries to do so. The purpose of the survey, which is co-ordinated by the Ministry of Justice in the Netherlands and the United Nations Interregional Crime and Justice Research Institute (UNICRI), is to provide comparable information on the incidence of victimization around the world.

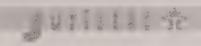
A standard questionnaire is used to gather the information in each country and similar techniques are employed to conduct the survey. In 1996, a random sample of persons aged 16 years and older were asked for detailed information on 11 offences¹ (see Box 1), including when, where and how often offences occurred over the previous five years; whether offences were reported to the police; and whether victimization experiences were considered serious. The participants were also asked for their opinions on public safety, policing and sentencing. In most western industrialized countries (including Canada), respondents were interviewed by telephone. In other countries, where telephone ownership is not widespread, face-to-face interviews were conducted.

| Box 1<br>Offence Categories |  |                                   |                            |  |  |  |
|-----------------------------|--|-----------------------------------|----------------------------|--|--|--|
| ICV                         | S Offences   | Offence Groupings used in this Ju |                            |  |  |  |
| 1.                          | Robbery/Attempted Robbery (using force or threats)                                   | 1.                                | Violent Offences           |  |  |  |
| 2.                          | Sexual Assault (ranging from unwanted sexual touching to rape – asked of women only) |                                   |                            |  |  |  |
| 3.                          | Assault/Threats  |                                   |                            |  |  |  |
| 4.                          | Theft of Personal Property (other than robbery, such as pickpocketing)               | 2.                                | Theft of Personal Property |  |  |  |
| 5.                          | Burglary <sup>2</sup> (residence)  | 3.                                | Household Burglaries       |  |  |  |
| 6.                          | Attempted Burglary (residence)   |                                   |                            |  |  |  |
| 7.                          | Theft of Car/Van/Truck (attempts not included)                                       | 4.                                | Motor Vehicle Offences     |  |  |  |
| 8.                          | Theft from Car   |                                   |                            |  |  |  |
| 9.                          | Vandalism to Car/Van/Truck   |                                   |                            |  |  |  |
| 10.                         | Theft of Motorcycle/Moped/Scooter  |                                   |                            |  |  |  |
| 11.                         | Theft of Bicycle   | 5.                                | Bicycle Theft              |  |  |  |
|                             |  |                                   |                            |  |  |  |

To keep costs down and encourage participation by as many countries as possible, sample sizes were kept small. Usually, 1,000 to 2,000 persons were interviewed per country. The main drawback of this approach is that the data are subject to fairly large sampling errors. The size of the error varies, but can be as high as  $\pm 3\%$ , meaning the actual value can differ from the estimated value by up to 3 percentage points in either direction (see Methodology section for more detail). Despite this shortcoming, the ICVS provides a unique opportunity to make international comparisons regarding experiences of crime and public opinion of justice issues in a variety of countries (see Box 2).

The term 'burglary' is used by the ICVS. In Canada, burglary is more commonly referred to as 'break and enter'

A number of criteria were used to select the 11 offences, including: the offence has individuals as victims; the offence can be described in terms that respondents understand; and the offence has a similar meaning in all countries. In Canada, these 11 offences account for a fairly large proportion of incidents reported to police (approximately 70% of all Criminal Code incidents in 1996).



### Box 2 Comparing National Crime Levels

How can levels of crime be compared across countries? One option is to examine the figures from police-recorded crime surveys. This method presents some problems, however. First, criminal codes differ from country to country, so police surveys can actually be measuring different kinds of crime. Second, these surveys use different methods to record and count crime, which can result in discrepancies from one country to another. Third, public attitudes towards reporting crime to the police vary from country to country, so that differences in crime rates may actually reflect different rates of reporting.

A second option, which eliminates some of the problems associated with police-recorded crime rates, is to compare results of national victimization surveys, such as the one conducted as part of Statistics Canada's General Social Survey. These surveys have the advantage of being able to capture crimes that have not been reported to the police. However, they exclude certain offences, such as homicide and drug

offences. There can also be important differences in survey methodology between countries, for example, the way respondents are chosen, the techniques used to gather the information, the time period of the survey and the types of crime being measured. As well, many countries do not conduct this type of survey.

The ICVS has been able to address some of the problems that arise in comparing data from various national sources. The survey uses a standard questionnaire, standard procedures in conducting the survey and standard techniques for producing the results. Unfortunately, problems remain which are inherent in conducting international surveys. For example, there can be cultural differences in the way people interpret certain questions (behaviour that is considered serious in one culture may not be in another) and in their willingness to tell interviewers about their experiences.

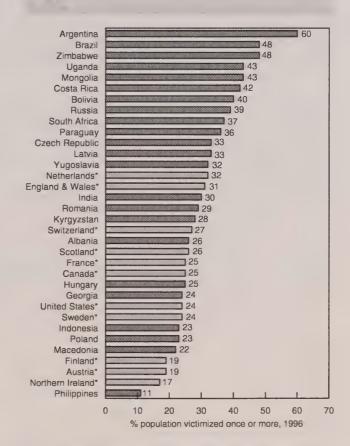
The focus of this *Juristat* is to present the results of the 1996 ICVS for the 11 western industrialized countries that participated, i.e., Austria, England and Wales, Finland, France, the Netherlands, Northern Ireland, Scotland, Sweden, Switzerland, the United States and Canada. Most of the analysis is restricted to these countries, rather than the 34 countries that participated, for two reasons. First, these 11 countries have much in common in social, political and economic terms. Second, the survey methodology was most similar for this group of countries.<sup>3</sup>

An analysis of victimization survey results in Canada would typically include an examination of the associated risk factors, including age, gender, level of income and education. It was necessary to limit this type of analysis because of the small sample sizes for sub-groups of the population and the associated sampling error. The small sample sizes also made it necessary to collapse the 11 offences into 5 groups for some of the analysis (see Box 1).

# How do Canadian rates of victimization compare internationally?

For the 34 countries that participated in the 1996 ICVS, an average of 31% of the population reported being victimized in the year preceding the survey.<sup>4</sup> The proportion of persons that fell victim to any of the 11 offences ranged from 11% in the Philippines to 60% in Argentina (see Figure 1). Canada's rate, at 25%, was in the lower third of the group of 34 countries.

### Victimization rates, 1996



<sup>\*</sup> The 11'western industrialized countries are shown in light coloured bars.

Source: International Crime Victimization Survey, 1996.

Figure 1

For many of the other countries, the survey was not national in scope, but was conducted in a major city. As well, sampling was not done by random digit dialing and interviews were conducted face-to-face, rather than by telephone. In several countries, the ICVS questionnaire was used, but the survey was not co-ordinated by UNICRI.

For the 1996 ICVS, respondents were interviewed in the first few months of 1996. Thus, questions involving opinions about public safety, policing and sentencing relate to feelings at the time of the survey (1996). However, questions about victimization experiences relate to the previous year (1995) and the previous five years. To avoid confusion, the ICVS will be referred to as if it relates to the year in which it was conducted – 1996, 1992 or 1989.

Junior

The victimization rate in the 11 western industrialized countries was much lower on average, with 24% of the population being victimized in 1996 (see Table 1). This figure varied from a low of 17% in Northern Ireland to a high of 32% in the Netherlands. Canada's rate was close to the average of these industrialized countries.

Table 1 also provides the victimization rates for the five offence groups. England and Wales had the highest proportion of victims for violent offences, household burglaries and motor vehicle offences. The Netherlands had the highest figures for theft of personal property and bicycle theft. Canada's rates were close to the average for each of the five offence groups. Van Dijk and Mayhew (1992: 11, 19) found that rates of car theft and bicycle theft are related to rates of ownership – thefts are higher in countries where ownership is higher. Thus in Table 1, the higher rates of victimization for motor vehicle offences and bicycle theft in some countries may be partially due to higher ownership rates in those countries.

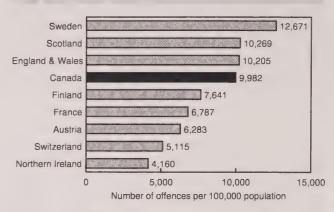
### Police-recorded crime

Another way to view international crime rates is to examine police-recorded data. These data, unlike the ICVS data, include all penal code infractions. Also unlike the ICVS, they only include incidents that victims report to the police (see Box 2). According to the Fifth United Nations Survey of Crime Trends, Sweden had the highest crime rate in 1994, followed by Scotland, and England and Wales (see Figure 2). Canada had the fourth highest rate out of nine countries. (Figures for the Netherlands were not available and the U.S. figures were not comparable.)

In Northern Ireland, both police and the ICVS report relatively low rates of crime and victimization, despite periods of civic unrest in that country. One interpretation of these data is that the types of crimes that are prevalent in terrorist activities (such as bombings) are not captured in this crime victim survey, and that apart from these high profile, but relatively infrequent events, Northern Ireland has lower rates of crime. One additional factor that might help explain the lower crime rates is the paramilitary ceasefire that was in effect for part

Figure 2

### Police-recorded crime rates,1 1994



Figures for the Netherlands are not available.

Figures for the United States are not comparable so were excluded.

<sup>1</sup> Rates are based on total penal code offences. **Source:** Fifth United Nations Survey of Crime.

of the period covered by the data. This ceasefire lasted from late 1994 to early 1996.

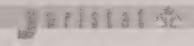
Another point of comparison among countries is the homicide rate. The pattern of police-recorded crime rates is generally reflected in homicide rates. That is, countries with higher overall crime rates tend to have higher homicide rates (see Figure 3). (Sweden, with its high police-reported crime rate, but low homicide rate, is an exception.) The country with the highest homicide rate in the group is the United States, with a figure that is at least three times larger than that of the nine other countries. The homicide rates for those nine other countries fall into three distinct groupings: Scotland, Canada, France and Northern Ireland have rates of about 2 per 100,000; England and Wales, Austria, Switzerland and Sweden have rates of about 1 per 100,000; and the Netherlands has a much lower rate of 0.2 per 100,000. The

Table 1

## Victimization Rates, 1996 (% population victimized once or more)

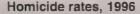
|                  | Violent<br>Offences | Theft of<br>Personal<br>Property | Household<br>Burglaries | Motor<br>Vehicle<br>Offences | Bicycle<br>Theft | All<br>Offences |
|------------------|---------------------|----------------------------------|-------------------------|------------------------------|------------------|-----------------|
| Austria          | 4                   | 5                                | 1                       | 8                            | 3                | 19              |
| Canada           | 6                   | 6                                | 5                       | 12                           | 3                | 25              |
| England & Wales  | 8                   | 5                                | 6                       | 18                           | 4                | 31              |
| Finland          | 6                   | 3                                | 1                       | 7                            | 5                | 19              |
| France           | 5                   | 4                                | 4                       | 15                           | 3                | 25              |
| Netherlands      | 6                   | 7                                | 5                       | 14                           | 10               | 32              |
| Northern Ireland | 3                   | 3                                | 3                       | 10                           | 1                | 17              |
| Scotland         | 5                   | 5                                | 4                       | 16                           | 2                | 26              |
| Sweden           | 6                   | 5                                | 2                       | 9                            | 9                | 24              |
| Switzerland      | 5                   | 6                                | 2                       | 11                           | 7                | 27              |
| United States    | 7                   | 4                                | 5                       | 13                           | 3                | 24              |
| Average          | 5                   | 5                                | 3                       | 12                           | 5                | 24              |

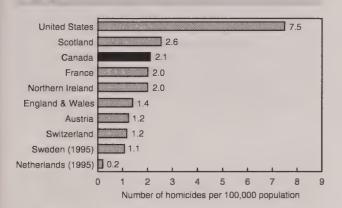
Source: International Crime Victimization Survey, 1996.



homicide rate for Northern Ireland is substantially lower than what has been reported in previous years. The reason appears to be related to the paramilitary ceasefire discussed above.

Figure 3





A figure for Finland is not available.

Sources: National Central Bureau - Interpol Ottawa and

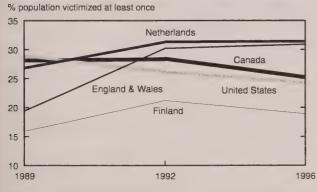
"A Commentary on Northern Ireland Crime Statistics 1996" by the Northern Ireland Office.

## Are victimization rates rising?

An examination of the results for the five countries that have participated in all three rounds of the ICVS (Canada, England and Wales, Finland, the Netherlands and the United States) indicates that, overall, victimization rates are fairly stable. The victimization rate for these five countries averaged 24% in 1989, 27% in 1992, and 26% in 1996. There was more variation in the rate for individual countries, however (see Figure 4). The rate in the United States fell in both years. In Canada, the rate fell slightly in 1996 (to 25%) from about 28% in 1989 and 1992. Finland's rate increased between

Figure 4

### Trends in victimization rates



Source: International Crime Victimization Survey, 1989, 1992 and 1996.

1989 and 1992, but fell back in 1996. The two countries with the highest 1996 victimization rates – the Netherlands and England and Wales – experienced an increase in rates in both years. However, after increasing sharply from 1989 to 1992, the rates in 1996 were only slightly higher than their 1992 levels.

The victimization results for Canada are mirrored in policerecorded crime statistics. According to the Uniform Crime Reporting Survey, the crime rate fell 2% in 1996.<sup>5</sup> This was the fifth straight year that the rate declined, after having increased steadily over the previous three decades. Over the last five years Canada's crime rate has fallen a total of 15%.

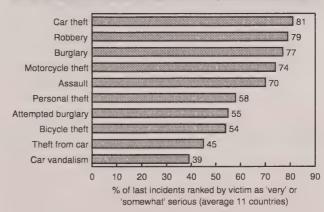
Statistics Canada's General Social Survey (GSS) also provides similar results.<sup>6</sup> According to the 1993 GSS, 24% of Canadians were the victims of at least one crime in the previous year. This was unchanged from the rate that was observed when the survey was first conducted in 1988.

## What crimes do victims consider serious?

According to the 1996 ICVS, victims of car theft were more likely than the victims of the other offences to consider their victimization to be serious (see Figure 5).<sup>7</sup> On average for the 11 countries, 81% of car theft victims felt this offence to be either 'somewhat' or 'very' serious. The offences considered to be least serious by victims were car vandalism

Figure 5

## Offence seriousness



The figure for sexual assault is not included because not all victims of this offence were asked about its seriousness.

Source: International Crime Victimization Survey, 1996.

<sup>&</sup>lt;sup>5</sup> See Kong, Rebecca. Juristat Vol. 17, No. 8.

<sup>6</sup> The General Social Survey examined the victimization rates for eight types of offences for persons aged 15 years and older. See Gartner and Doob, Juristat Vol. 14. No. 13.

For 10 of the offences, victims were asked if they considered the last incident to be 'very serious', 'somewhat serious' or 'not very serious'. Last incidents include the most recent offence over the previous five years. The results for sexual assault are not included because not all victims of this offence were asked about the seriousness of the incident.

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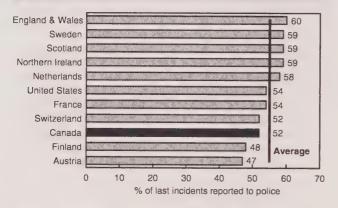
and theft from car. The four offences considered to be most serious (car theft, robbery, burglary and motorcycle theft) all involved theft of property. Only one, robbery, is considered a violent offence. These four offences were all considered to be more serious than assault. In Canada, police report that almost 80% of assault incidents are of the least serious kind (assault level 1).<sup>8</sup> This might help explain why assault was judged by ICVS respondents to be less serious than four other offences.

# Which crimes do victims report to the police?

A great many victimization incidents are not reported to police (see Figure 6). For the 11 industrialized countries, an average of 55% of incidents were reported.<sup>9</sup> The five countries with the highest reporting rates were: England and Wales (60%), Sweden (59%), Scotland (59%), Northern Ireland (59%) and the Netherlands (58%). The difference in percentages for these five countries is not statistically significant – the difference is less than the size of the sampling error (see Methodology section). In Canada, the percentage of incidents reported to police was slightly below the average at 52%.

Figure 6

## Reporting crimes to police



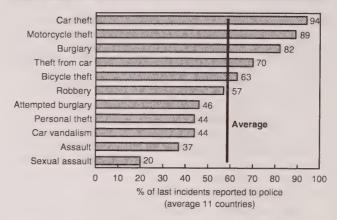
Source: International Crime Victimization Survey, 1996.

Some types of offences are reported more often than others (see Figure 7). In general, property crimes were reported more frequently than crimes against the person. This is likely a consequence, at least in part, of having to report crimes involving insurance claims to the police. Of the 11 offences, car thefts were reported most often, followed by motorcycle thefts and burglaries. The two offences with the lowest reporting rates were violent offences – sexual assault and assault. The average reporting rate for the 11 offences was 59%.

The 1993 General Social Survey also found that, in Canada, offences against the person were reported to the police less frequently than property offences (33% of offences against the person were reported compared with 51% of property offences). The two offences with the lowest reporting rates were sexual assault, followed by assault.<sup>10</sup>

Figure 7

### Reporting crimes to police, by type



Source: International Crime Victimization Survey, 1996.

For five of the offences (theft from car, burglary, robbery, sexual assault and assault), ICVS respondents were asked why they did, or did not, report the incident (multiple responses were permitted). <sup>11</sup> By far the most common reason given for not reporting an offence was that it was 'not serious'. On average, for the 11 countries, this reason was mentioned in 44% of unreported incidents. The next most popular reason was 'solved it myself' (14%), followed by 'police couldn't do anything' (13%).

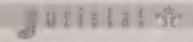
There was much more diversity in the reasons given for reporting the five offences. This is partially due to the nature of the offences. Two are property crimes, so insurance claims are often involved, while the other three are crimes against the person. The most common reason given for reporting crimes was 'for insurance reasons' (35%), followed by 'crimes should be reported' (34%), 'want offender to be caught' (27%), 'to recover property' (27%) and 'to stop it' (19%). Two of the reasons - for insurance and to recover property - were cited more frequently for property offences (46% and 33%, respectively for property crimes compared with 6% and 10% for crimes against the person). Two other reasons - want offender to be caught and to stop it - were cited more often for crimes against the person (34% and 32%, respectively for crimes against the person compared with 25% and 15% for property offences). (The reasons could not be examined in more detail because the number of incidents was too small in some offence categories.)

See Kong, Rebecca. Juristat Vol. 17, No. 8.

For each of the 11 offences, victims were asked if they reported the last incident to police. Last incidents include the most recent offence over the previous five years.

<sup>10</sup> See "1993 General Social Survey. Tables in Victimization".

Only five offences were chosen so that the survey would not be too long. There were two primary considerations in choosing the five offences: survey organizers wanted offences that would have a large enough number of victimization incidents to permit analysis and they wanted offences that would exhibit some differences in results among the countries.

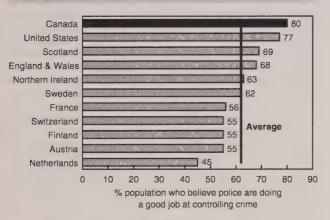


# Do people believe the police are doing a good job?

Of the 11 western industrialized countries that participated in the 1996 ICVS, Canada had the highest percentage (80%) of the public who believed the police in their area were doing a good job at controlling crime (see Figure 8). This compares to an average of 62% for all 11 countries. The United States ranked second at 77%. The Netherlands, the country with the highest overall victimization rate in 1996, had the lowest figure. Only 45% of the population felt the police were doing a good job. In contrast, the people of England and Wales had a fairly high opinion of their police, despite that country having the second highest victimization rate in 1996. Many respondents did not appear to hold strong opinions one way or the other. The percentage of 'unknown' responses ranged from 6% in the United States to 29% in the Netherlands. In Canada, one-tenth of responses were 'unknown'.

Figure 8

### Public satisfaction with the police



Source: International Crime Victimization Survey, 1996.

Table 2

The high opinion that Canadians have of their police is confirmed by a recent CTV/National Angus Reid poll, entitled *Crime and the Justice System.* <sup>12</sup> The poll, conducted in May 1997, asked a representative sample of Canadians aged 18 years and older for their opinions on crime and the justice system. When asked how much confidence they had in their local police, 86% of the population responded 'very' or 'somewhat' confident.

Table 2 shows the responses on satisfaction with the police for all three rounds of the ICVS. In general, public opinion of police performance has declined. For example, for the 9 countries that participated in both the 1989 and 1996 surveys, the average proportion of 'yes' responses (police doing a good job) fell from 67% to 63% and the average proportion of 'no' responses rose from 17% to 20%. For Canada, the picture is unclear. The percentage of 'yes' responses has declined over time, but the percentage of 'no' responses has remained about the same. Instead, there has been an increase in the proportion of 'unknown' responses. The only country to show any clear improvement in public opinion of police performance is Sweden, where the 'yes' responses have increased and the 'no' responses have decreased.

Not surprisingly, previous victimization experience appeared to influence a person's opinion of the police. In all 11 countries in 1996, victims<sup>13</sup> were less satisfied with police performance than were non-victims. On average, 59% of victims felt that the police were doing a good job at controlling crime compared with 65% of non-victims.

For five offences—theft from a car, burglary, robbery, sexual assault, and assault—victims who reported the offence were asked if they were satisfied with the police handling of their report. The majority (70%) responded affirmatively. For the five offences combined, the figure ranged from 53% in Austria

## Public Perception of Police Performance

(% population)

Do police in your area do a good job at controlling crime?

|                  |      |      |      | ,    | ,    | 0    |      |         |      |  |
|------------------|------|------|------|------|------|------|------|---------|------|--|
|                  | Yes  |      |      |      | No   |      |      | Unknown |      |  |
|                  | 1989 | 1992 | 1996 | 1989 | 1992 | 1996 | 1989 | 1992    | 1996 |  |
| Austria          | **   | .,   | 55   |      |      | 20   | .,   | ,,      | 25   |  |
| Canada           | 89   | 82   | 80   | 11   | 12   | 10   | -    | 7       | 10   |  |
| England & Wales  | 70   | 66   | 68   | 17   | 21   | 20   | 14   | 13      | 12   |  |
| Finland          | 64   | 53   | 55   | 18   | 23   | 24   | 18   | 24      | 22   |  |
| France           | 62   | .,   | 56   | 21   |      | 18   | 18   |         | 27   |  |
| Netherlands      | 58   | 50   | 45   | 20   | 24   | 26   | 22   | 27      | 29   |  |
| Northern Ireland | 63   |      | 63   | 21   |      | 20   | 16   | **      | 17   |  |
| Scotland         | 71   |      | 69   | 16   |      | 21   | 13   | **      | 9    |  |
| Sweden           | • •  | 58   | 62   |      | 20   | 14   |      | 22      | 25   |  |
| Switzerland      | 50   |      | 55   | 11   |      | 21   | 39   |         | 24   |  |
| United States    | 81   | **   | 77   | 17   |      | 18   | 2    |         | -6   |  |

nil or zero.

Source: International Crime Victimization Survey, 1989, 1992 and 1996.

<sup>12</sup> See "Crime and the Justice System" on the Angus Reid webpage [www.Angusreid.com].

<sup>13</sup> This refers to anyone who was a victim of any of the 11 offences in the previous five years.

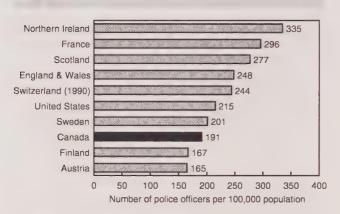
<sup>.</sup> figures not available.

to 77% in Finland. In Canada, 73% of those who reported the offence were satisfied with the police handling of their report. (The number of incidents in individual offence categories was not large enough to examine the results by offence type.)

Public satisfaction with the police does not appear to be directly related to the number of police officers available to people. Figure 9 shows the number of police officers per capita for 10 of the industrialized countries. <sup>14</sup> In 1994, the number of police officers varied considerably, from a low of 165 per 100,000 population in Austria, up to 335 per 100,000 in Northern Ireland. The two countries with the lowest number of police per capita, Austria and Finland, also ranked low on the ICVS in terms of public satisfaction with police performance. Canada, on the other hand, which had the third lowest number of police officers, had the highest ICVS score on police performance. Northern Ireland and France, which had the highest number of police officers per capita, were about average in their level of satisfaction with police performance.

Figure 9

### Number of police officers, 1994



A figure for the Netherlands is not available.

Source: Fifth United Nations Survey of Crime.

Table 3

## How should offenders be punished?

Respondents to the 1996 ICVS were presented with the following scenario: a man, aged 21, is found guilty for a second time of breaking into a house and stealing an item. This time the item was a colour television. Respondents were then asked which of five possible sentences was most appropriate for this person: a fine, prison sentence, community service, probation/suspended sentence, or some other sentence. The results, shown in Table 3, indicate that community service, followed by prison, are the two preferred methods of punishment.

Countries fell into two distinct groups with respect to choosing one of the two sanctions. Residents in five countries – Canada, England and Wales, Northern Ireland, Scotland, and the United States – favoured prison by an average margin of 2 to 1 over community service. Residents in the remaining countries – Austria, Finland, France, the Netherlands, Sweden, and Switzerland – favoured community service by an even larger margin (by an average of 4 to 1).

There was no association between a country's overall victimization rate and its citizens' preference for prison. In other words, countries with higher overall victimization rates did not necessarily favour prison as a sanction. However, there was some relationship between the victimization rate for burglary (including attempts) and the choice of a prison sentence. Countries such as England and Wales and Canada, which had higher than average burglary rates, also tended to prefer a prison term for a recidivist burglar.

National opinions about imprisonment appear to be reflected in national incarceration rates. The five countries in the ICVS that favoured imprisonment over community service also had the highest incarceration rates in 1995 (see Figure 10). Incarceration rates ranged from 60 per 100,000 population for Finland to 600 per 100,000 population in the United States. The rate in the United States far exceeded that of any of the other ten countries.

## Preferred Sentence for a Recidivist Burglar (% population)

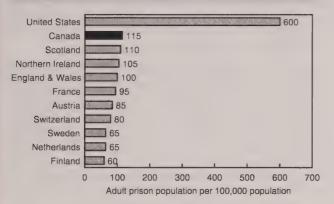
|                  | Community | Drings | Fine. | Suspended | Others             |
|------------------|-----------|--------|-------|-----------|--------------------|
|                  | Service   | Prison | Fine  | Sentence  | Other <sup>1</sup> |
| Austria          | 62        | 10     | 14    | 8         | 6                  |
| Canada           | 30        | 43     | 8     | 8         | 11                 |
| England & Wales  | 29        | 49     | 8     | 6         | 8                  |
| Finland          | 49        | 18     | 15    | 13        | 6                  |
| France           | 68        | 11     | 9     | 6         | 6                  |
| Netherlands      | 42        | 31     | 9     | 9         | 8                  |
| Northern Ireland | 28        | 49     | 15    | 4         | 5                  |
| Scotland         | 27        | 49     | 13    | 5         | 7                  |
| Sweden           | 50        | 22     | 13    | 6         | 9                  |
| Switzerland      | 61        | 9      | 10    | 13        | 7                  |
| United States    | 23        | 56     | 8     | 1         | 12                 |
| Average          | 43        | 32     | 11    | 7         | 8                  |

<sup>1</sup> Includes 'unknown' responses.

Source: International Crime Victimization Survey, 1996.

<sup>14</sup> These data come from the Fifth United Nations Survey of Crime and are the most recent available. A figure for the Netherlands is not available.

### Incarceration rates, 1995



Source: "Americans Behind Bars" by Marc Mauer.

According to the ICVS, the majority of Canadians felt a prison sentence was the appropriate punishment for a recidivist burglar. Comparing with actual court outcomes, in the provincial/territorial courts of nine provinces and territories, a prison sentence was the most frequently imposed sanction for break and enter in 1995/96. Of the almost 20,000 convictions for break and enter, a prison term was imposed three-quarters of the time. The next most popular sanction was probation (59% of convictions), followed by 'other' sanctions, such as an absolute discharge or suspended sentence (29% of convictions). These figures total more than 100% because multiple sanctions can be imposed.

## Do citizens feel safe?

The ICVS asked respondents how safe they felt walking alone in their area after dark – very safe, fairly safe, a bit unsafe, or very unsafe. The response, illustrated in Figure 11, indicates that the majority of people felt safe in this situation. The proportion of the population that felt very or fairly safe ranged from 65% in England and Wales up to 87% in Sweden. Canada ranked near the bottom at 73%. The average for all 11 countries was 77%. Not surprisingly, males felt safer than females. In 1996, for the 11 countries combined, 89% of males felt very or fairly safe compared with 65% of females.

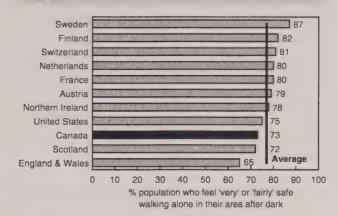
The same question was asked once before in the 1992 ICVS. Four of the five countries that participated both times (England and Wales, Finland, the Netherlands and Sweden) showed no significant change in opinion from 1992 to 1996. In Canada, there was a noticeable decline in the percentage of the population feeling safe – from 78% in 1992 to 73% in 1996.

Statistics Canada's General Social Survey asked respondents a similar question about walking alone in their neighbourhoods after dark. In 1993, 72% of the population felt 'very safe' or 'reasonably safe'. This was virtually unchanged from the figure five years earlier. However, between the two surveys, the proportion of people that felt 'very safe' fell and the proportion feeling 'reasonably safe' increased.<sup>16</sup>

The ICVS asked participants what they felt the chances were of someone breaking into their home in the coming year.

Figure 11

### Feelings of safety

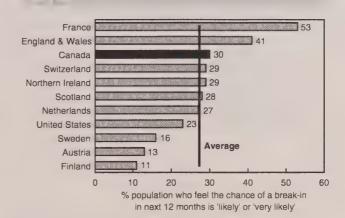


Source: International Crime Victimization Survey, 1996.

Response categories were: 'very likely', 'likely' or 'not likely'. There was quite a wide range in responses (see Figure 12). The percent of the population that felt the chances were 'very likely' or 'likely' ranged from 11% in Finland up to 53% in France. The figure for Canada (30%) was third highest, but four other countries had very similar results. In all 11 countries, fear of a break-in was higher among previous burglary victims (i.e. those persons who had been the victim of a burglary or attempted burglary in the previous five years). Overall in 1996, 47% of burglary victims felt the chances of a break-in were very likely or likely. This compared to a figure of 23% for non-victims. In 1996 for the 11 countries combined, fear of a break-in was the same for women as for men.

Figure 12

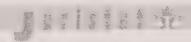
### Fear of a break-in



Source: International Crime Victimization Survey, 1996

<sup>16</sup> See Gartner and Doob, Juristat Vol. 14, No. 13.

This information comes from the Adult Criminal Court Survey. The data are supplied by provincial/territorial courts in seven provinces and two territories, representing 80% of the national provincial/territorial criminal court caseload. Break and enter includes businesses as well as residences. The ICVS only asked about household burglaries.



Between the 1989 and 1996 surveys, the figure for France jumped from 36% to 53%, while that for Switzerland dropped from 46% to 29%. Apart from those two notable exceptions, expectations of a break-in have not changed dramatically over time. The average for the 9 countries that participated in both 1989 and 1996 is the same – 30%. Canada's figure in 1996 was down slightly from the 1989 level of 33%.

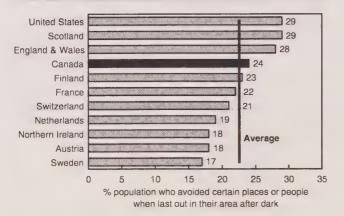
The Crime and the Justice System poll conducted by Angus Reid asked Canadians, "To what extent do you fear being a victim of crime in your community? Would you say you have a great deal of fear, a fair amount of fear, a little fear, or no fear." The results showed that 21% of Canadians have either a great deal (5%) or a fair amount (16%) of fear. This was virtually unchanged from the figure obtained when the same question was asked in a 1990 poll.

## Are crime prevention measures being used?

Close to one-quarter (23%) of the population in the 11 industrialized countries avoided certain places or people for reasons of safety when out alone after dark.<sup>17</sup> The figure ranged from a high of 29% in the United States and Scotland to a low of 17% in Sweden (see Figure 13). Canada had the fourth highest figure (24%). This was up slightly from 20% in 1989 and 21% in 1992. For the nine countries that participated in both the 1989 and 1996 surveys, results were mixed. Four countries, including Canada, showed an increase in the percentage of persons taking precautions; three countries showed a decrease; and two countries had virtually the same result.

Figure 13

## Safety precautions taken



Source: International Crime Victimization Survey, 1996.

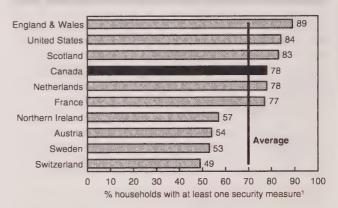
Females were more cautious than males when out alone after dark. For the 11 countries in 1996, an average of 32% of women avoided certain places or people for safety reasons. The comparable figure for males was 14%.

People who feel unsafe walking alone after dark tend to take more precautions when outside their homes after dark. According to the 1996 ICVS for the 11 countries combined, 50% of the people who felt unsafe walking alone in their neighbourhood after dark also avoided certain places or people when out alone after dark. In contrast, only 16% of the people who felt safe walking alone after dark avoided certain places or people.

The ICVS asked respondents if they had any of the following seven home security measures: a burglar alarm, special door locks, special window/door grills, a watch dog, a high fence, a neighbourhood watch scheme or a caretaker/security guard. The results indicate that the use of these measures was quite common in most countries. England and Wales had the highest percentage of households (89%) possessing at least one of the seven home security measures (see Figure 14). The United States was second, followed by Scotland and then Canada. The figure for Switzerland was the lowest, with slightly less than half of all households having one of the home security measures listed. (Data for Finland were not available for this question.)

Figure 14

### Use of household security measures



A figure for Finland is not available.

Source: International Crime Victimization Survey, 1996.

Special door locks were the most popular home security device, with an average of 48% of households in the 11 countries having this device (see Table 4). Next were watch dogs and neighbourhood watch schemes (see Box 3), which were both used on average by about one-fifth of households. The use of each of the seven measures was higher than average in Canadian households. As well, use of the measures by Canadian households appears to be increasing. For example, between the 1992 and 1996 survey, burglar alarm use in Canadian households increased from 12% to 19%, the use of special door locks was up from 42% to 52% and the proportion of households with watch dogs increased from 23% to 27%.

<sup>17</sup> The ICVS asked respondents if they had avoided certain places or people for safety reasons the last time they were out alone in their area after dark.

<sup>&</sup>lt;sup>1</sup> Measures include: burglar alarm, special door locks, special door/ window grills, watch dog, high fence, neighbourhood watch scheme, or caretaker/security quard.

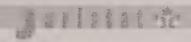


Table 4

## **Use of Household Security Measures**

(% households)

|                  | Special<br>Door Locks | Watch<br>Dog | Watch<br>Scheme | Special<br>Grills | High<br>Fence | Burglar<br>Alarm | Caretaker/<br>Security<br>Guard |
|------------------|-----------------------|--------------|-----------------|-------------------|---------------|------------------|---------------------------------|
| Austria          | 38                    | 14           | 2               | 12                | 6             | 6                | 1                               |
| Canada           | 52                    | 27           | 34              | 20                | 19            | 19               | 12                              |
| England & Wales  | 68                    | 25           | 47              | 27                | 41            | 27               | 4                               |
| Finland          | **                    | **           | **              | **                | **            |                  |                                 |
| France           | 35                    | 22           | 42              | 14                | 13            | 14               | 13                              |
| Netherlands      | 68                    | 16           | 9               | 11                | 13            | 10               | 8                               |
| Northern Ireland | 33                    | 24           | 2               | 12                | 14            | 11               | -                               |
| Scotland         | 62                    | 23           | 28              | 21                | 29            | 25               | 3                               |
| Sweden           | 39                    | 12           | 6               | 7                 | 2             | 6                | 1                               |
| Switzerland      | 28                    | 13           | 4               | 11                | 1             | 5                | 6                               |
| United States    | 59                    | 36           | 38              | 22                | 14            | 21               | 8                               |
| Average          | 48                    | 21           | 21              | 16                | 15            | 14               | 6                               |

<sup>-</sup> nil or zero.

Source: International Crime Victimization Survey, 1996

### Box 3 Neighbourhood Watch

In Canada, many communities have Neighbourhood Watch programs. The objective of these programs is to reduce crime by getting neighbours to work together. Program participants are made aware of how best to protect their homes. They are also encouraged to watch for suspicious activities in their neighbourhood and to report such activities to the police. A Neighbourhood Watch program can be developed with the help of local police.

The use of home security measures by Canadians did not appear to be closely associated with their fear of a break-in. For example, for the people believing the chance of a break-in was very likely or likely, 53% had special door locks, 37% participated in a watch scheme and 33% had a watch dog. <sup>18</sup> The comparable figures for people believing the chance of a break-in was unlikely were 52%, 34% and 30%, respectively. As well, Canadians who had been victimized during the previous five years were no more likely to have one of these three home security measures.

## Methodology

In 1996, the International Crime Victimization Survey was conducted in 34 countries, including the 11 western industrialized countries that are the focus of this *Juristat*. Fieldwork for the survey was co-ordinated by the Dutch company Inter/View International B.V. Local companies were hired to conduct the survey in participating countries. In the 11 industrialized countries, the survey was national in scope. In most other countries, the survey was conducted in a major city.

#### Sampling

In all 11 industrialized countries except Northern Ireland, households were selected using random digit dialing techniques. In Northern Ireland, the Electoral Register was used to select a random sample. With random digit dialing, households without telephones are excluded from the sample. Table 5 below indicates that this is not a serious problem, as telephone ownership is quite high in most of the industrialized countries surveyed.

Table 5

## Telephone Ownership (% households with telephones)

| Austria          |    |
|------------------|----|
| Canada           | 99 |
| England & Wales  | 93 |
| Finland          |    |
| France           | 98 |
| Netherlands      | 96 |
| Northern Ireland | 76 |
| Scotland         | 93 |
| Sweden           | 90 |
| Switzerland      | 98 |
| United States    |    |

<sup>..</sup> figures not available.

Source: International Crime Victimization Survey, 1996.

<sup>..</sup> figures not available.

These figures are expressed as a percentage of the population and are not comparable to the data in Table 4 which are expressed as a percentage of households.

Once households were chosen, an individual 16 years or older was selected at random to respond to the survey.

#### Data Collection

A standard questionnaire was used to gather the information. A typical interview lasted 15 minutes. In the industrialized countries, interviews were conducted by telephone using computer-assisted telephone interviewing (CATI). The one exception was Northern Ireland, where computer-assisted face-to-face interviews were conducted. (It was felt that because of the security situation, face-to-face interviews would produce a better response rate.) Computer assistance helps to better standardize the interview process.

### Response Rates

In 1996, as in 1992, a call back procedure was used in an effort to improve response rates. The 1996 response rates are shown in Table 6.

It is difficult to know what impact, if any, the varying response rates had on survey results, although the very low response rate in the United States may be cause for concern. According to an analysis of 1992 ICVS response rates, "there is inconclusive evidence on the effects of non-response, which may suggest it has not biased results to any great degree" (van Dijk and Mayhew, 1992: 7).

#### Data Limitations

It is important to note that the ICVS data are estimates. They are based on information collected from a small fraction of

Table 6

### **ICVS Response Rates, 1996**

|                  | Total<br>Sample | Completed<br>Interviews | Response<br>Rate <sup>1</sup> |
|------------------|-----------------|-------------------------|-------------------------------|
|                  |                 |                         | (%)                           |
| Austria          | 1,983           | 1,507                   | 76                            |
| Canada           | 2,873           | 2,134                   | 74                            |
| England & Wales  | 3,697           | 2,171                   | 59                            |
| Finland          | 4,509           | 3,899                   | 86                            |
| France           | 1,651           | 1,003                   | 61                            |
| Netherlands      | 3,206           | 2,008                   | 63                            |
| Northern Ireland | 1,247           | 1,042                   | 84                            |
| Scotland         | 3,496           | 2,194                   | 63                            |
| Sweden           | 1,328           | 1,000                   | 75                            |
| Switzerland      | 1,794           | 1,000                   | 56                            |
| United States    | 2,506           | 1,003                   | 40                            |
| Total            | 28,290          | 18,961                  | 67                            |

<sup>&</sup>lt;sup>1</sup> Response rate = (completed interviews/total sample \*100). **Source**: International Crime Victimization Survey, 1996.

the population. The sample sizes, as indicated in Table 6 (completed interviews), ranged from 1,000 to just under 4,000 respondents. A single respondent can represent anywhere from 1,000 to over 200,000 people, depending on the country. As a result, the data are subject to sampling error. The size of the sampling error depends on many factors, including the sample size, the percentage observed, and the level of confidence chosen. The sampling error for the ICVS, using a 95% confidence interval, is shown in Table 7.

Table 7

## Sampling Error (with 95% confidence level)

|   |  |   |  |  | Pe                                     | ercentage Obs                          | served  |   |   |   |   |
|---|--|---|--|--|--|--|---|---|---|---|---|
| Sample  | 2                                      | 5   | 10                                     | 15                                     | 20                                     | 25                                     | 30  | 35  | 40  | 45  | 50  |
| Size  | 98                                     | 95  | 90                                     | 85                                     | 80                                     | 75                                     | 70  | 65  | 60  | 55  | 50  |
| 25  | 5.5                                    | 8.5   | 11.8                                   | 14.0                                   | 15.7                                   | 17.0                                   | 18.0  | 18.7  | 19.2  | 19.5  | 19.6  |
| 50  | 3.9                                    | 6.0   | 8.3                                    | 9.9                                    | 11.1                                   | 12.0                                   | 12.7  | 13.2  | 13.6  | 13.8  | 13.9  |
| 100   | 2.7                                    | 4.3   | 5.9                                    | 7.0                                    | 7.8                                    | 8.5                                    | 9.0   | 9.3   | 9.6   | 9.8   | 9.8   |
| 200   | 1.9                                    | 3.0   | 4.2                                    | 4.9                                    | 5.5                                    | 6.0                                    | 6.4   | 6.6   | 6.8   | 6.9   | 6.9   |
| 300   | 1.6                                    | 2.5   | 3.4                                    | 4.0                                    | 4.5                                    | 4.9                                    | 5.2   | 5.4   | 5.5   | 5.6   | 5.7   |
| 400   | 1.4                                    | 2.1   | 2.9                                    | 3.5                                    | 3.9                                    | 4.2                                    | 4.5   | 4.7   | 4.8   | 4.9   | 4.9   |
| 500   | 1.2                                    | 1.9   | 2.6                                    | 3.1                                    | 3.5                                    | 3.8                                    | 4.0   | 4.2   | 4.3   | 4.4   | 4.4   |
| 600<br>700<br>800<br>900<br>1,000                           | 1.1<br>1.0<br>1.0<br>0.9<br>0.9        | 1.7<br>1.6<br>1.5<br>1.4                      | 2.4<br>2.2<br>2.1<br>2.0<br>1.9        | 2.9<br>2.6<br>2.5<br>2.3<br>2.2        | 3.2<br>3.0<br>2.8<br>2.6<br>2.5        | 3.5<br>3.2<br>3.0<br>2.8<br>2.7        | 3.7<br>3.4<br>3.2<br>3.0<br>2.8               | 3.8<br>3.5<br>3.3<br>3.1<br>3.0               | 3.9<br>3.6<br>3.4<br>3.2<br>3.0               | 4.0<br>3.7<br>3.4<br>3.3<br>3.1               | 4.0<br>3.7<br>3.5<br>3.3<br>3.1               |
| 1,200<br>1,400<br>1,600<br>1,800<br>2,000<br>3,000<br>4,000 | 0.8<br>0.7<br>0.7<br>0.6<br>0.6<br>0.5 | 1.2<br>1.1<br>1.1<br>1.0<br>1.0<br>0.8<br>0.7 | 1.7<br>1.6<br>1.5<br>1.4<br>1.3<br>1.1 | 2.0<br>1.9<br>1.7<br>1.6<br>1.6<br>1.3 | 2.3<br>2.1<br>2.0<br>1.8<br>1.8<br>1.4 | 2.5<br>2.3<br>2.1<br>2.0<br>1.9<br>1.5 | 2.6<br>2.4<br>2.2<br>2.1<br>2.0<br>1.6<br>1.4 | 2.7<br>2.5<br>2.3<br>2.2<br>2.1<br>1.7<br>1.5 | 2.8<br>2.6<br>2.4<br>2.3<br>2.1<br>1.8<br>1.5 | 2.8<br>2.6<br>2.4<br>2.3<br>2.2<br>1.8<br>1.5 | 2.8<br>2.6<br>2.5<br>2.3<br>2.2<br>1.8<br>1.5 |

Source: International Crime Victimization Survey, 1996.

. . intat %

As an example of how this table should be used, consider the overall victimization rate for Canada. The ICVS estimates that 25% of the population was victimized in 1996. Using the table, for a sample of 2,000 (closest to the Canadian sample size of 2,134) and an observed percentage of 25, the sampling error is 1.9. This means that the 95% confidence interval is between 23.1% and 26.9% (25  $\pm$ 1.9). The interpretation of the confidence interval is as follows: if repeated samples of this size were drawn, each one leading to a new confidence interval, then in 95% of the samples, the confidence interval would include the true value for the population.

For the same observed percentage, the sampling error will be larger for smaller sample sizes. The United States, for example, had a sample size of 1,003 and an overall victimization rate of 24% in 1996. Using the table, for a sample of 1,000 and an observed percentage of 25, the sampling error is 2.7 (compared with the figure of 1.9 described above). This means the 95% confidence interval is between 21.3% and 26.7% ( $24\pm2.7$ ).

Because the results are subject to sampling error, the difference between some figures will not be statistically significant. For example, the difference between the 1996 victimization rate for the Netherlands (32%) and England and Wales (31%) is not statistically significant. The confidence interval for the Netherlands (32  $\pm$ 2) overlaps the confidence interval for England and Wales (31 $\pm$ 2)

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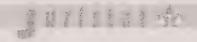
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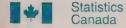


## **ADULT CRIMINAL COURT STATISTICS, 1996-97**

by Denyse Carrière

### HIGHLIGHTS

- Three offences accounted for almost 40% of cases heard in adult criminal court: impaired driving (15% of all cases), common assault (12%), and theft (11%).
- Eighty-five percent of cases involved males and 64% involved adults between 18 and 34 years of age.
- Adults aged 18 to 24 years were proportionately more involved in property crime cases than adults in other age groups.
- Sixty-four percent of the cases resulted in a finding of guilt for at least one charge in the case. The highest conviction rates were recorded for cases involving other federal statutes (80%) and *Criminal Code* traffic offences (77%).
- A prison sentence was imposed in 33% of cases with convictions. This proportion varied across jurisdictions, ranging from 21% in Nova Scotia to 50% in Prince Edward Island.
- Of the cases resulting in prison, 50% of the sentences were for 1 month or less, while 3% were for two years or more. The median length of prison sentences, excluding one day prison sentences, was 60 days.
- A sentence of probation was given in 41% of cases resulting in conviction. The median length of probation sentences was one year.
- The accused was ordered to pay a fine in 44% of the cases resulting in conviction. Of these cases, 56% of the accused were sentenced to pay a fine of \$300 or less, and 21% a fine of more than \$500.
- Multiple-charge cases tended to result in more serious sentences than single-charge cases. In cases involving more serious offences (crimes against the person, property crimes and drug-related crimes), the median prison sentence length was about 50% longer for multiple-charge cases.
- For cases requiring more than one court appearance (80% of the caseload), the median elapsed time, from first to last appearance, was approximately two and one half months. Generally speaking, the more serious offences took longer to process, the median elapsed time for offences against the person being the longest at 4 months.



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April 1998 ISSN 0715-271X

Published by authority of the Minister responsible for Statistics Canada.

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## INTRODUCTION

Courts are the keystone of the criminal justice system. They are responsible for adjudicating criminal cases against the accused through an evaluation of the evidence presented by the Crown. This *Juristat* summarizes the activity of adult provincial/territorial criminal courts<sup>1</sup> in Canada for the 1996-97 fiscal year. Its main objective is to improve public understanding of adult criminal court activity.

Information is presented on the demographic characteristics of accused persons, court findings, sanctions and case processing characteristics for cases heard in adult criminal courts.

The analysis in this report is based on case characteristics data from the Adult Criminal Court Survey (ACCS). These data on federal statute charges disposed of in 1996-97 are collected by the Canadian Centre for Justice Statistics (CCJS) in collaboration with provincial and territorial government departments responsible for adult criminal courts.

The primary unit of analysis is the case, which is defined as one or more charges laid against an individual and disposed of in court on the same day. The individuals involved are persons 18 years or older, companies, as well as youths who have been transferred to adult criminal court.

At the time of this report, adult criminal courts in seven provinces and one territory reported to the ACCS. They are: Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta and Yukon. These jurisdictions represent approximately 80% of the national adult criminal court caseload. The information presented in this report covers only these eight participating jurisdictions.

## **OVERVIEW OF ADULT CRIMINAL COURT CASES**

Adult criminal courts in participating jurisdictions disposed of 859,890 charges, or 417,393 cases during 1996-97. A majority of cases (54%)² contained one charge, 27% of cases contained two charges and the remaining 19% contained more than two charges. There were on average 2.1 charges per case. All of these cases were for federal statute violations, of which 88% were *Criminal Code* offences. The remaining cases involved violations of other federal statutes, such as the *Narcotic Control Act (NCA)*, *Food and Drugs Act (FDA)*, and *Income Tax Act*. Provincial/territorial statute offences are not included in this report. The 1996-97 figures represent a decrease of 6% in the number of cases over the two previous years³. In 1994-95 there were 446,086 cases before adult criminal courts and in 1995-96, there were 435,569 cases. The average number of charges per case, however, has increased slightly during that period, from 2.0 in 1994-95 and 1995-96. The percentage of *Criminal Code* offences has remained the same throughout the three year period (88%).

### Property offences most common type of case

In 1996-97, participating jurisdictions reported 111,023 cases of Crimes against Property (26% of total caseload), 104,435 Other *Criminal Code* cases (25%), 81,739 cases involving Crimes against the Person (20%), 70,455 Traffic cases (17%), 27,295 Drug-Related Offences cases (7%), and 22,446 Other Federal Statutes cases (5%) (Box 1). Figure 1 shows the relative frequency of the 10 most frequent offence types for cases heard in adult criminal court, of which the four most common are impaired driving (15%), common assault (12%), theft (11%), and failure to appear in court (8%). Frequencies for failure to appear, among others, are shown in Box 2.

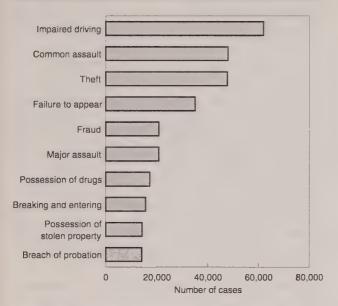
For the remainder of this Juristat, adult provincial/territorial criminal courts will be referred to as adult criminal courts.

The classification of a case as single-charge or multiple-charge is based on the total number of charges heard in the case, not just those charges resulting in a conviction.

In 1996-97, the Northwest Territories did not participate in the survey. The data from that jurisdiction accounted for 0.7% of the total caseload reported to the ACCS in 1995-96.

Figure 1

## Cases by most serious offence, 1996-97



Notes: The 10 most frequent offences account for 71% of the total number

of cases.

Eight jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics,

Statistics Canada.

## Box 1

Standard offence categories used by the ACCS

Other sexual offences

Major assault

Common assault

Abduction

Crimes against the Person

- Homicide and related
- Attempted murder
- RobberyKidnapping
- Sexual assault
- Sexual assault

Crimes against Property

- Break and enter
- Arson
- Fraud
- Possession of stolen property
- Theft
- Property damage/mischief

#### Other Criminal Code

- Weapons
- Administration of Justice (includes failure to appear)
- Public order offences
- Morals sexual
- Morals gaming
- Unspecified Criminal Code (includes breach of probation)

#### Traffic

- Criminal Code traffic\*
- Impaired driving

### **Drug-Related Offences**

- Trafficking
- Possession

#### Other Federal Statutes

- all other federal statutes
- Includes, among others, dangerous operation, driving while disqualified and failing to stop at the scene of an accident.

#### Box 2

### Unspecified Criminal Code of Canada, Administration of Justice, and Other Federal Statutes

### Unspecified Criminal Code

Two of the most frequently occurring "Unspecified Criminal Code" offences are "failure to comply with a probation order", and "failure to keep the peace". These offences are related to previous court cases, where a court order has been made against the accused. Failing to follow this court order has resulted in another court case against the same accused. These offences are good examples of how some charges and cases are related to previous or ongoing court cases.

#### Administration of Justice

The "Administration of Justice" offence group encompasses a variety of offences focused on ensuring that individuals follow the orders of the court. The police or other agencies will lay additional charges when an accused fails to appear in court on a set date, escapes from custody, or when the accused breaks out of a correctional facility. "Failure to appear" is one of the most frequent offences heard in adult criminal courts.

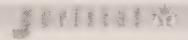
#### Other Federal Statutes

In addition to the *Criminal Code of Canada*, the ACCS collects information on a variety of other federal statutes. These include the fisheries acts and regulations, *Customs Act, Immigration Act, Indian Act, Unemployment Insurance Act, Environment Protection Act, Parking Act, Young Offenders Act,* as well as sections of the *Narcotics Control Act* and the *Food and Drugs Act* dealing with drug trafficking/importing and possession, and other.

| Unspecified Criminal Code  |  |                                |  |  |  |  |  |  |  |
|--|--|--------------------------------|--|--|--|--|--|--|--|
|  | Number   | %                              |  |  |  |  |  |  |  |
| Total Unspecified Criminal Code  | 44,908   | 100                            |  |  |  |  |  |  |  |
| Failure to comply with probation order Uttering threats Failure to keep the peace Conspiracy Criminal harassment Other unspecified | 14,128<br>8,359<br>8,104<br>2,044<br>1,525<br>10,748 | 31<br>19<br>18<br>5<br>3<br>24 |  |  |  |  |  |  |  |

| Administration of Justice          |              |         |  |  |  |  |  |  |
|------------------------------------|--------------|---------|--|--|--|--|--|--|
|                                    | Number       | %       |  |  |  |  |  |  |
| Total .                            | 39,073       | 100     |  |  |  |  |  |  |
| Failure to appear                  | 35,035       | 90<br>8 |  |  |  |  |  |  |
| Unlawfully at large Escape custody | 3,217<br>568 | 1       |  |  |  |  |  |  |
| Prison break                       | 21           | ~~      |  |  |  |  |  |  |
| Other administration of justice    | 232          | 1       |  |  |  |  |  |  |

| Other Federal Statutes  |  |                          |  |  |  |  |  |  |
|---|--|--------------------------|--|--|--|--|--|--|
|   | Number                                   | %                        |  |  |  |  |  |  |
| Total   | 22,446                                   | 100                      |  |  |  |  |  |  |
| Fisheries acts and regulations CA, IA, IA, UIA, EPA, PA Young Offenders Act Other FDA and NCA Other | 4,482<br>3,764<br>1,277<br>148<br>12,775 | 20<br>17<br>5<br>1<br>56 |  |  |  |  |  |  |



### Cases against companies

Participating jurisdictions reported a total of 5,634 charges, or 1,179 cases against companies during 1996-97. Almost all of the cases heard against companies (85%) were for violations under other federal statutes, rather than the *Criminal Code of Canada*. Of the cases involving *Criminal Code* offences, the most common were for morals-gaming (41%), unspecified *Criminal Code* (28%), and fraud (20%) offences.

### Most adult criminal court cases involve males

During the reference period, approximately 85% of cases heard in adult criminal courts were against males (excludes 14,562 cases where sex was unknown<sup>4</sup> and 1,179 cases against companies). In comparison, the proportion of policereported incidents involving males in 1996 was 84%. In addition, a majority of cases involved adults under 35 years of age. Cases involving 18 to 24 year olds represented 30% of all cases where the age of the accused was known, while 34% of cases tried were against 25 to 34 year olds. The proportion of the adult criminal court caseload decreased with each subsequent age group. Cases against individuals 35 to 44 years of age comprised 23% of completed cases, while the accused was over 45 years in the remaining 13% (excludes 19,522 cases where the age was unknown).

## Median age of males and females different for property crimes

Only one offence type, crimes against property, had a significant difference in the age of males and females. In property cases, the median age of females was 31 years, while the median age of males was 27 years at the time of the offence. The median age of males and females was almost the same for all other offence groups. Overall, the median age of males appearing in court was 30 years, while the median age of females was 31 years (Table 1). Within individual offence groups, the median age of males and females showed more variation.

| Cases against Companies        | Number | %   |
|--------------------------------|--------|-----|
| Total                          | 1,179  | 100 |
| Income Tax Act                 | 217    | 18  |
| Criminal Code of Canada        | 172    | 15  |
| Unemployment Insurance Act     | 38     | 3   |
| Customs Act                    | 21     | 2   |
| Fisheries acts and regulations | 20     | 2   |
| NCA and FDA                    | 18     | 1   |
| All other federal statutes     | 693    | 59  |

### Young adults commit more property offences

Young adults, 18 to 24 years of age, tended to appear in court for different kinds of cases than older adults. This age group had proportionately more cases of crimes against property than any other age group. While the percentage of cases involving property offences ranged from 20% to 25% for offenders aged 25 years and older, for young adults, this proportion was 34%.

Younger adults were involved in proportionately more cases of breaking and entering, possession of stolen property, property damage/mischief, drug possession, public order offences and failure to appear in court than any other age group. Theft cases were heard most often (13%) for individuals 18 to 24 years of age (**Table 2**).

## Impaired driving most frequent offence for adults over 25 years

The proportion of impaired driving cases increased with the age of the accused and was the most frequent type of case when the accused was 25 years of age and older. In addition, individuals over the age of 25 had proportionately fewer cases of Crimes against Property and more cases comprising Other Federal Statute offences. Older individuals, 55 years of age and older, had the highest proportion of impaired driving cases (26%) and the lowest proportion of drug-related cases (2%) (Table 2). Although the proportion of impaired driving cases was higher for older offenders, the actual number of offences for this group was lower because older offenders account for a much smaller proportion of the total caseload (Figure 2).

#### Table 1

## Percentage Distribution of Offence Groups and Median Age of Accused by Sex, 1996-97

|                           | То       | Males |        |          | Females |        |        |     |        |
|---------------------------|----------|-------|--------|----------|---------|--------|--------|-----|--------|
| Offence Group             | Number   | 0/    | Median | Niverban | 0/      | Median | N      | 0/  | Median |
|                           | Number   | %     | Age    | Number   | %       | Age    | Number | %   | Age    |
| TOTAL OFFENCES            | 398,421* | 100   | 30     | 327,198  | 100     | 30     | 57,635 | 100 | 31     |
| CRIMINAL CODE TOTAL       | 351,914  | 88    | 31     | 289,039  | 88      | 30     | 51.758 | 90  | 31     |
| Crimes against the Person | 77,561   | 20    | 31     | 66.940   | 20      | 31     | 8.777  | 15  | 30     |
| Crimes against Property   | 107,339  | 27    | 28     | 81.424   | 25      | 27     | 22.139 | 38  | 31     |
| Other Criminal Code       | 96,991   | 24    | 30     | 80.303   | 25      | 30     | 14.190 | 25  | 30     |
| Traffic                   | 70,023   | 18    | 34     | 60,372   | 18      | 34     | 6,652  | 12  | 34     |
| FEDERAL STATUTE TOTAL     | 46,507   | 12    | 30     | 38,159   | 12      | 30     | 5.877  | 10  | 31     |
| Drug-Related Offences     | 26,316   | 7     | 28     | 21,911   | 7       | 28     | 3,326  | 6   | 29     |
| Other Federal Statutes    | 20,191   | 5     | 33     | 16.248   | 5       | 33     | 2.551  | 4   | 33     |

<sup>\*</sup> Includes 13,588 cases for which the sex of the accused was unknown; excludes 17,793 cases where the age of the accused was unknown and 1,179 cases against companies.

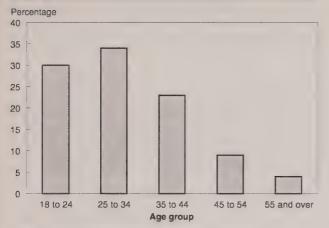
Note: Eight jurisdictions only.

In Quebec, sex is determined on the basis the accused's name, producing a relatively higher rate of sex unknown.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Figure 2

### Percentage of cases by age group, 1996-97



Notes: Excludes 19,522 cases for which the age is unknown.

Eight jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics,

Statistics Canada.

Table 2

Older adults were also proportionately more involved in sexual assault, theft and other federal statute offence cases.

### Theft most frequent offence for females

Proportionately, females appeared more frequently in relation to theft cases (22%) than any other offence. This offence made up a greater proportion in older age groups, accounting for 29% of cases involving females aged 45 to 54 and 50% of all cases for females aged 55 and older. While females were involved in theft offences to a greater extent than males, the actual number of cases was lower for females because they account for only 15% of the caseload. Although females were involved in impaired driving cases to a lesser degree than were males, the proportion of these cases did tend to increase with age. Impaired driving cases accounted for 6% of cases for females aged 18 to 24 years, 17% of cases for females aged 45 to 54 years and 14% of case for females aged 55 years and older.

### Cases by Age of Accused, 1996-97

|                                    |             |       |         |                   |         |              |            | A    | ge       |      |        |      |        |      |
|------------------------------------|-------------|-------|---------|-------------------|---------|--------------|------------|------|----------|------|--------|------|--------|------|
| Offence Group                      | Total Cases | Total | 18 to 2 | 18 to 24 25 to 34 |         | <b>35</b> to | 35 to 44 4 |      | 45 to 54 |      | lus    | Unk  | 1      |      |
|                                    |             | %     | #       | %                 | #       | %            | #          | %    | #        | %    | #      | %    | #      | %    |
| TOTAL OFFENCES                     | 417,393     | 100   | 118,057 | 100               | 135,151 | 100          | 91,489     | 100  | 35,761   | 100  | 17,413 | 100  | 19,522 | 100  |
| CRIMINAL CODE TOTAL                | 367,652     | 88.1  | 103,381 | 87.6              | 119,630 | 88.5         | 81,333     | 88.9 | 31,688   | 88.6 | 15,414 | 88.5 | 16,206 | 83.0 |
| Crimes against the Person          | 81,739      | 19.6  | 19,649  | 16.6              | 28,350  | 21.0         | 19,272     | 21.1 | 6,914    | 19.3 | 3,238  | 18.6 | 4,316  | 22.1 |
| Homicide and Related               | 434         | 0.1   | 121     | 0.1               | 143     | 0.1          | 86         | 0.1  | 33       | 0.1  | 15     | 0.1  | 36     | 0.2  |
| Attempted Murder                   | 403         | 0.1   | 133     | 0.1               | 135     | 0.1          | 65         | 0.1  | 35       | 0.1  | 22     | 0.1  | 13     | 0.1  |
| Robbery                            | 4,265       | 1.0   | 1,772   | 1.5               | 1,551   | 1.1          | 629        | 0.7  | 143      | 0.4  | 15     | 0.1  | 155    | 0.8  |
| Kidnapping                         | 350         | 0.1   | 97      | 0.1               | 108     | 0.1          | 75         | 0.1  | 30       | 0.1  | 8      |      | 32     | 0.2  |
| Sexual Assault                     | 6,203       | 1.5   | 1,175   | 1.0               | 1,961   | 1.5          | 1,530      | 1.7  | 724      | 2.0  | 515    | 3.0  | 298    | 1.5  |
| Other Sexual Offences              | 1,287       | 0.3   | 163     | 0.1               | 363     | 0.3          | 338        | 0.4  | 153      | 0.4  | 152    | 0.9  | 118    | 0.6  |
| Major Assault                      | 20,749      | 5.0   | 6,054   | 5.1               | 7,237   | 5.4          | 4,528      | 4.9  | 1,495    | 4.2  | 709    | 4.1  | 726    | 3.7  |
| Abduction                          | 118         |       | 23      |                   | 40      |              | 29         |      | 12       |      | 6      |      | 8      |      |
| Common Assault                     | 47,930      | 11.5  | 10,111  | 8.6               | 16,812  | 12.4         | 11,992     | 13.1 | 4,289    | 12.0 | 1,796  | 10.3 | 2,930  | 15.0 |
| Crimes against Property            | 111,023     | 26.6  | 40,276  | 34.1              | 34,168  | 25.3         | 20,990     | 22.9 | 7,772    | 21.7 | 3,993  | 22.9 | 3.824  | 19.6 |
| Break and Enter                    | 15,656      | 3.8   | 8,315   | 7.0               | 4,486   | 3.3          | 1,947      | 2.1  | 390      | 1.1  | 92     | 0.5  | 426    | 2.2  |
| Arson                              | 626         | 0.1   | 205     | 0.2               | 160     | 0.1          | 138        | 0.2  | 70       | 0.2  | 45     | 0.3  | 8      |      |
| Fraud                              | 20,841      | 5.0   | 5,469   | 4.6               | 7,512   | 5.6          | 4,492      | 4.9  | 1,664    | 4.7  | 505    | 2.9  | 1,199  | 6.1  |
| Possess Stolen Property            | 14,289      | 3.4   | 6,555   | 5.6               | 4,298   | 3.2          | 2,180      | 2.4  | 612      | 1.7  | 208    | 1.2  | 436    | 2.2  |
| Theft                              | 47,688      | 11.4  | 14,952  | 12.7              | 13,860  | 10.3         | 10,091     | 11.0 | 4,407    | 12.3 | 2,902  | 16.7 | 1,476  | 7.6  |
| Property Damage/Mischief           | 11,923      | 2.9   | 4,780   | 4.0               | 3,852   | 2.9          | 2,142      | 2.3  | 629      | 1.8  | 241    | 1.4  | 279    | 1.4  |
| Other Criminal Code                | 104,435     | 25.0  | 30,201  | 25.6              | 34,110  | 25.2         | 21,596     | 23.6 | 7,670    | 21.4 | 3,234  | 18.6 | 7,624  | 39.1 |
| Weapons                            | 8,060       | 1.9   | 2,218   | 1.9.              | 2,339   | 1.7          | 1,759      | 1.9  | 849      | 2.4  | 416    | 2.4  | 479    | 2.5  |
| Administration of Justice          | 39,073      | 9.4   | 12,992  | 11.0              | 13,532  | 10.0         | 7,840      | 8.6  | 2,356    | 6.6  | 918    | 5.3  | 1,435  | 7.4  |
| Public Order Offences              | 6,800       | 1.6   | 2,615   | 2.2               | 2,361   | 1.7          | 1,185      | 1.3  | 391      | 1.1  | 134    | 0.8  | 114    | 0.6  |
| Morals-Sexual                      | 4,831       | 1.2   | 894     | 0.8               | 1,950   | 1.4          | 1,168      | 1.3  | 474      | 1.3  | 246    | 1.4  | 99     | 0.5  |
| Morals-Gaming                      | 763         | 0.2   | 60      | 0.1               | 176     | 0.1          | 171        | 0.2  | 109      | 0.3  | 77     | 0.4  | 170    | 0.9  |
| Unspecified Criminal Code          | 44,908      | 10.8  | 11,422  | 9.7               | 13,752  | 10.2         | 9,473      | 10.4 | 3,491    | 9.8  | 1,443  | 8.3  | 5,327  | 27.3 |
| Traffic                            | 70.455      | 16.9  | 13.255  | 11.2              | 23.002  | 17.0         | 19.475     | 21.3 | 9.332    | 26.1 | 4.949  | 28.4 | 442    | 2.3  |
| Criminal Code Traffic <sup>2</sup> | 8.478       | 2.0   | 2,036   | 1.7               | 3,176   | 2.3          | 2.051      | 2.2  | 759      | 2.1  | 355    | 2.0  | 101    | 0.5  |
| Impaired Driving                   | 61,977      | 14.8  | 11,219  | 9.5               | 19,826  | 14.7         | 17,424     | 19.0 | 8,573    | 24.0 | 4,594  | 26.4 | 341    | 1.7  |
| FEDERAL STATUTE TOTAL              | 49,741      | 11.9  | 14,676  | 12.4              | 15,521  | 11.5         | 10,156     | 11.1 | 4,073    | 11.4 | 1,999  | 11.5 | 3,316  | 17.0 |
| Drug-Related Offences              | 27.295      | 6.5   | 9.816   | 8.3               | 9.565   | 7.1          | 5.365      | 5.9  | 1.243    | 3.5  | 311    | 1.8  | 995    | 5.1  |
| Trafficking                        | 10,014      | 2.4   | 2.692   | 2.3               | 3,689   | 2.7          | 2,229      | 2.4  | 676      | 1.9  | 210    | 1.2  | 518    | 2.7  |
| Possession                         | 17,281      | 4.1   | 7,124   | 6.0               | 5,876   | 4.3          | 3,136      | 3.4  | 567      | 1.6  | 101    | 0.6  | 477    | 2.4  |
| Other Federal Statutes             | 22 446      | 5.4   | 4,860   | 4.1               | 5.956   | 4.4          | 4.791      | 5.2  | 2.830    | 7.9  | 1.688  | 9.7  | 2.321  | 11.9 |
| Uther Federal Statutes             | 22,446      | 5.4   | 4,860   | 4.1               | 5,956   | 4.4          | 4,/91      | 5.2  | 2,830    | 7.9  | 1,688  | 9.7  | 2,321  | 11   |

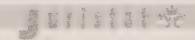
<sup>--</sup> amount to small to be expresse

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Unknown includes not stated and age less than 18.

Includes, among others, dangerous operation, driving while disqualified, and failing to stop at the scene of an accident.

Note: Eight jurisdictions only



### Comparisons of offence types across jurisdictions

There is considerable variation across jurisdictions in the types of offences that make up the caseload. For example, Crimes against Property accounted for a greater proportion of the caseload in Newfoundland (31%) and in Alberta (31%). The proportion of these cases was lowest in the Yukon (18%). Among property offence cases, theft cases showed the greatest fluctuation, and it is this offence which had the greatest impact on the property cases total. Theft cases ranged from 7% of the caseload in the Yukon to 16% of the caseload in Newfoundland (Table 3).

Cases involving Crimes against the Person also varied across jurisdictions, ranging from 16% of the total caseload in Prince Edward Island to 27% in the Yukon. Within the violent offence category, it is the percentage of common assault cases which

showed the greatest variability and which drives the total for that category of cases.

Criminal Code traffic offence cases accounted for 20% or more of the overall caseload in 4 jurisdictions: Alberta (20%), Yukon (23%), Saskatchewan (26%) and Prince Edward Island (30%). The lowest percentage of Traffic offence cases was reported in Ontario (14%).

### DISPOSITIONS

The frequency with which each province and territory uses available dispositions offers insight into the complexity of jurisdictional caseloads, the mix of offences in a case, and the administrative and procedural considerations that have to be addressed prior to case completion. The various

Table 3

### Percentage Distribution of Cases by Jurisdiction, 1996-97

| 0//  |         |         |        |        | Province |         |         |        |       |
|--|---------|---------|--------|--------|----------|---------|---------|--------|-------|
| Offence Group                                      | Canada  | Nfld.   | P.E.I. | N.S.   | Que. 1   | Ont.    | Sask.   | Alta.  | Y.T.  |
| TOTAL OFFENCES                                     | 417,393 | 8,164   | 1,777  | 17,606 | 85,119   | 213,945 | 27,523  | 61,359 | 1,900 |
| CRIMINAL CODE TOTAL                                | 88      | 84      | 86     | 87     | 82       | 89      | 93      | 91     | 93    |
| Crimes against the Person                          | 19      | 20      | 16     | 20     | 17       | 21      | 17      | 18     | 27    |
| Homicide and Related                               |         |         |        |        |          |         |         |        |       |
| Attempted Murder<br>Robbery                        | 1       |         |        | 1      | 2        | 1       | 1       | 1      | 1     |
| Kidnapping   |         |         | -      |        |          |         |         |        |       |
| Sexual Assault                                     | 2       | 2       | 2      | 2      | 1        | 2       | 1       | 2      | 2     |
| Other Sexual Offences<br>Major Assault             | 5       | 1       | 2      | 4      | 5        | 5       | 5       | 4      |       |
| Abduction  |         |         | -      | 7      |          | J       | J       |        |       |
| Common Assault                                     | 12      | 13      | 12     | 13     | 9        | 13      | 10      | 11     | 17    |
| Crimes against Property                            | 27      | 31      | 24     | 26     | 24       | 27      | 26      | 31     | 18    |
| Break and Enter                                    | 4       | 5       | 4      | 3      | 6        | 3       | 4       | 3      | 2     |
| Arson<br>Fraud                                     | <br>5   |         | <br>E  | <br>A  | <br>5    | <br>5   | Δ       | 5      |       |
| Possess Stolen Property                            | 3       | . 4     | 5<br>2 | 4      | 2        | 4       | 3       | 4      | 2     |
| Theft  | 11      | 16      | 10     | 12     | 8        | 12      | 11      | 15     | 7     |
| Property Damage/Mischief                           | 3       | 3       | 3      | 4      | 2        | 3       | 4       | 4      | 5     |
| Other Criminal Code                                | 25      | · 18    | 16     | 25     | 24       | 27      | 24      | 22     | 25    |
| Weapons  | 2       | 1       | 1      | 2      | 2        | 2       | 1       | 2      | 3     |
| Administration of Justice<br>Public Order Offences | 9       | 4       | 3      | 3<br>2 | 7        | 11      | 10<br>2 | 9      | 7 2   |
| Morals-Sexual                                      | 1       |         |        | 1      |          | 2       | 1       | 1      |       |
| Morals-Gaming                                      |         |         | -      |        |          |         |         |        |       |
| Other Criminal Code                                | 11      | 10      | 9      | 16     | 13       | 10      | 10      | 8      | 12    |
| Traffic  | 17      | 15      | 30     | 16     | 17       | 14      | 26      | 20     | 23    |
| Criminal Code Traffic <sup>2</sup>                 | 2<br>15 | 1<br>14 | 3      | 1      | 1        | 2       | 4<br>22 | 3      | 1     |
| Impaired Driving                                   |         |         | 27     | 15     | 16       | 12      |         | 18     | 22    |
| FEDERAL STATUTE TOTAL                              | 12      | 15      | 13     | 13     | 18       | 11      | 7       | 9      | 7     |
| Drug-Related Offences                              | 7       | 5       | 7      | 5      | 9        | 6       | 4       | 5      | 6     |
| Trafficking<br>Possession                          | 3       | 1       | 1      | 2      | 4<br>5   | 2       | 1 2     | 2      | 2     |
|  |         | 7       | _      |        | •        | '       | _       |        |       |
| Other Federal Statutes                             | 5       | 10      | 6      | 8      | 9        | 5       | 3       | 3      |       |

<sup>-</sup> nil or zero.

Notes: Percentage in columns may not add up to 100% due to rounding.

Eight jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

<sup>-</sup> amount too small to be expressed.

Municipal courts are not included.

<sup>&</sup>lt;sup>2</sup> Includes, among others, dangerous operation, driving while disqualified, and failing to stop at the scene of an accident.

possible court dispositions have been grouped into a small number of categories to improve comparisons across provinces and territories. These categories are shown in **Box 3**. Due to the inconsistent use of the following dispositions across reporting jurisdictions - stay of proceedings, withdrawn, dismissed and discharged - cases with these disposition types have been grouped under one category called 'Stay/Withdrawn'.

## Almost two thirds of adult criminal court cases result in conviction

A finding of guilt for at least one charge in the case was reported in a total 261,644 cases, or 64% of the cases tried in participating adult criminal courts during 1996-97. The final dispositions for the remaining cases included stayed/withdrawn (30% of cases heard), other (3%), acquittal (3%) (Box 4).

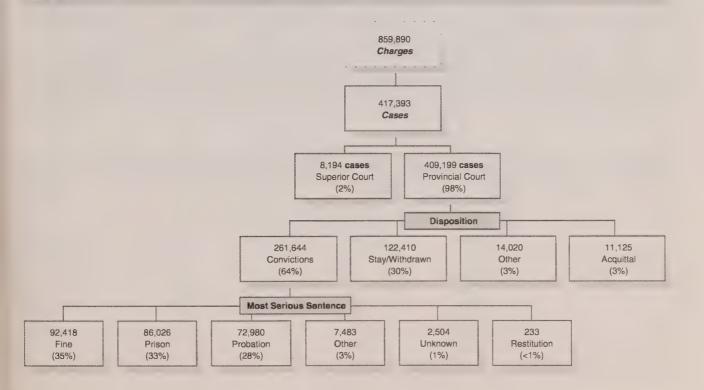
## Box 3 Dispositions in Adult Provincial/Territorial Criminal Court

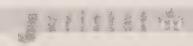
The disposition categories in this report are as follows:

- Guilty includes guilty of the charged offence, of an included offence, or an attempt of the charged offence, and attempt of an included offence.
- Committal for Trial in Superior Court represents criminal proceedings that have been transferred to a court of higher jurisdiction. When in Superior Court, the accused may re-elect to provincial court for the completion of the trial.
- Stay/Withdrawn includes stay of proceedings, and withdrawn/dismissed/discharged at preliminary inquiry. These dispositions all refer to the court stopping criminal proceedings against the accused.
- Acquitted means that the accused has been found not guilty of the charges presented before the court.
- Other Disposition includes acquitted on account of insanity, waived in province/territory, and waived out of province/territory.
   This category also includes any order made against the accused that does not carry a conviction, the court's acceptance of a special plea, cases where the accused/defence raise Charter arguments and cases where the accused was found unfit to stand trial.

Box 4

## Adult court processing of federal statute cases, eight jurisdictions, 1996-97

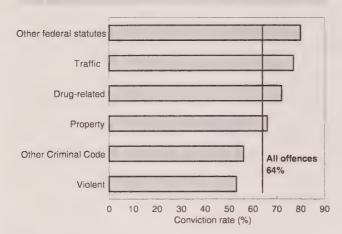




Since adult criminal court dispositions of committal for trial in Superior Court do not result in the completion of criminal proceedings, these cases (8,194 cases or 2% of all cases heard) have been removed for the calculation of conviction rates. For those cases reaching completion, the conviction rate was the highest for cases involving Other Federal Statutes (80%) and Traffic offences (77%) and lowest for cases involving Crimes against the Person (53%) (Figure 3).

Figure 3

### Case conviction rates, 1996-97



Note: Eight jurisdictions only.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

### Comparisons across jurisdictions

Differences in the distribution of dispositions across participating jurisdictions is a reflection of varying circumstances and practices. For example, the number of charges laid against an individual in relation to similar incidents may vary from one jurisdiction to another. As well, in some jurisdictions, police diversion and referral to

alternative measures programs is handled before the charges are laid, whereas in other jurisdictions this takes place after the charges are laid. In the latter jurisdictions, cases are then withdrawn or stayed. There are also differences in the use of stays and withdrawals for administrative purposes such as to make changes to an information. Varying pre-trial review practices, survey coverage limitations, volumes of cases and case complexity, and different methods of grouping charges together to form a case also have an impact on the distribution of dispositions. ACCS rules for counting charges and cases may also affect the frequency of certain disposition types.<sup>5</sup>

The proportion of cases resulting in a conviction ranged from 59% in both Ontario and Nova Scotia, to 76% in Newfoundland and 81% in Prince Edward Island (**Table 4**). The provinces with the highest conviction rates, Prince Edward Island and Newfoundland, also had among the lowest stay/withdrawn rates, 18% and 22% respectively. Quebec had the third highest conviction rate (76%) and the lowest rate of cases stayed/withdrawn (9%). Conversely, the provinces with the lowest conviction rates, Ontario, and Nova Scotia (both 59%), had the highest stay/withdrawn rates (39% and 32% respectively).

Jurisdictions showing the lowest convictions rates are also the jurisdictions with a higher percentage of offences least likely to result in a guilty verdict (i.e., violent offences). In Nova Scotia, Ontario and the Yukon, the proportions of violent offences were the highest (20%, 21% and 27% respectively). Conversely, in Prince Edward Island, where the conviction rate was highest, the proportion of traffic offences was the highest (30%) (Table 3). As seen before, traffic offences have the second highest conviction rate. Although there is no evidence of a direct link between the frequency of certain offence types and the conviction rates, the type of offence may be one of the factors affecting the overall conviction rate.

Table 4

### Cases by Disposition Category, 1996-97

| Jurisdiction         | Total<br>Cases <sup>1</sup> | Convicted<br>% | Stay/<br>Withdrawn<br>% | Acquitted % | Other % |
|----------------------|-----------------------------|----------------|-------------------------|-------------|---------|
| TOTAL                | 409,199                     | 63.9           | 29.9                    | 2.7         | 3.4     |
| Newfoundland         | 7,947                       | 76.0           | 22.0                    | 0.1         | 1.9     |
| Prince Edward Island | 1,751                       | 80.7           | 18.2                    | 1.0         | 0.1     |
| Nova Scotia          | 17,211                      | 59.1           | 31.5                    | 3.5         | 5.9     |
| Quebec <sup>2</sup>  | 85,060                      | 75.9           | 9.0                     | 9.7         | 5.4     |
| Ontario              | 209,102                     | 58.6           | 39.3                    | 0.5         | 1.6     |
| Saskatchewan         | 26.965                      | 67.6           | 26.2                    | 1.0         | 5.2     |
| Alberta              | 59,293                      | 63.4           | 29.5                    | 1.7         | 5.4     |
| Yukon                | 1.870                       | 61.7           | 23.6                    | 1.4         | 13.3    |

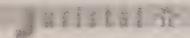
<sup>1</sup> Excludes cases committed for trial in Superior Court.

Note: Eight jurisdictions only

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

For reporting purposes, the ACCS counts cases transferred to another court level or location as completed. As these cases are then reinitiated in another court, they will be disposed of a second time. Cases with more than one charge are categorized by the most significant disposition, most serious charge, and most serious sentence. Consequently, less serious dispositions, charges, and sentences in multiple-charge cases are under-represented.

<sup>&</sup>lt;sup>2</sup> Municipal courts are not included.



### SENTENCING

To improve the understanding of sentencing practices, this section examines some of the factors considered by the court during sentencing. Of particular interest are the following questions:

- How much does the type of offence influence the sentence?
- Is the sentence given to the most serious offence in the case affected by the number of charges in the case?

When determining the sanctions to impose on an accused, a judge weighs many factors. Some of these may include the criminal history and attitude of the accused, aggravating and mitigating circumstances, and victim-impact statements. Information on these factors is not collected by the ACCS. Data on the most serious offence in the case and the number of charges in the case, which are collected by the ACCS, offer some information on the nature of the case before the court.<sup>6</sup>

### Jurisdictional patterns in sentencing

The most frequently imposed sentence in 1996-97 was "other". This sentence category includes absolute discharge, conditional discharge, suspended sentence, conditional sentence, payment of legal costs, suspension of driver's license, firearms restrictions, motor vehicle operation restrictions, community service, treatment order, prohibition order, seizure and forfeiture, and other sentences. Many of

the sanctions captured as "other" by the ACCS may be conditions placed on a probation order. This type of sentence was given in 126,960 cases with convictions, or 49% of all cases with convictions. It was the most frequently imposed sentence in four of the eight reporting jurisdictions, the highest proportion being found in Newfoundland (66%) followed by Saskatchewan (58%), Quebec (52%) and Ontario (48%) (Table 5).

Fines, the second most frequent sentence, were given in 115,034 cases with convictions, or 44% of all cases with convictions. Fines were the most frequently occurring sentence in three of the eight reporting jurisdictions, being imposed in 52% of cases in Prince Edward Island, 55% of cases in Nova Scotia and 55% of cases in Alberta. In Quebec, probation, fines and "other" sentences were each ordered in about half of all cases. Probation sentences were most common in the Yukon. The percentage of cases resulting in prison sentences varied considerably across the country, ranging from a low of 21% in Nova Scotia to a high of 50% in Prince Edward Island where impaired driving cases account for a large proportion of the caseload. Because the incarceration rate of these cases is 78% in that province, they have a significant impact on the overall percentage (Table 5).

#### Box 5 Analysis of sentences

In this section, data on sentencing is examined from two different perspectives. The majority of the analysis is based on the "types of sentences" imposed on offenders. In this view, all the sentences associated with the most serious charge in the case are counted. Because many cases with convictions result in more than one sentence, the total number of sentences imposed is greater than the total number of cases.

In the second perspective, which is presented both in Box 4 and in the sub-section entitled "Most serious sentence", only the most serious sentence for the most serious charge is retained for each case. Sentences are ordered from most to least serious as follows: prison, probation, fine, restitution/compensation and other. Understandably, the percentage distribution of sentences obtained from this method of calculation is substantially different from the "types of sentences" method.

Table 5

### Cases with Convictions by Type of Sentence, 1996-97

| Jurisdiction         | Total<br>Cases | Prison<br>% | Probation % | Fine % | Restitution % | Other % |
|----------------------|----------------|-------------|-------------|--------|---------------|---------|
| Total                | 261,644        | 33          | 41          | 44     | 5             | 49      |
| Newfoundland         | 6,040          | 31          | 50          | 41     | 7             | 66      |
| Prince Edward Island | 1,413          | 50          | 39          | 52     | 10            | 21      |
| Nova Scotia          | 10,165         | 21          | 35          | 55     | 6             | 45      |
| Quebec               | 64,544         | 29          | 51          | 49     | 3             | 52      |
| Ontario              | 122,480        | 38          | 42          | 37     | 5             | 48      |
| Saskatchewan         | 18,237         | 25          | 31          | 50     | 6             | 58      |
| Alberta              | 37,611         | 28          | 24          | 55     | 4             | 39      |
| Yukon                | 1,154          | 42          | 55          | 26     | 13            | 28      |

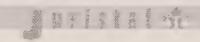
Notes: Columns are not mutually exclusive and will therefore not equal 100% when added across.

The sentence was unknown in 1% of cases with convictions

Eight jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

<sup>&</sup>lt;sup>6</sup> Case sentencing information reflects the sanctions imposed on the most serious offence in the case. The most serious offence in the case is determined through a sorting of charges according to the seriousness of the final disposition (guilty dispositions are the most serious), the seriousness of the offence, and the sentence.



## A majority of cases with convictions are given multiple sentences

Forty percent of all cases with a guilty finding<sup>7</sup> involved one sanction, 48% resulted in two sanctions, and 12% involved three or more sanctions. For cases resulting in more than one sanction, the most frequent sentence combinations are shown in the accompanying box.

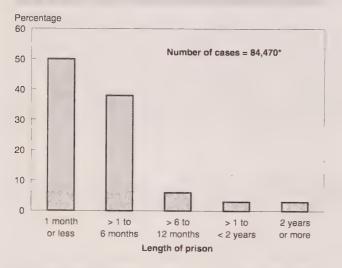
| Combination Sentences       | #      | %  |
|-----------------------------|--------|----|
| Probation and other         | 42,314 | 16 |
| Fine and other              | 41,126 | 16 |
| Prison and probation        | 21,927 | 8  |
| Probation, fine and other   | 9,912  | 4  |
| Prison, probation and other | 9,148  | 4  |
| Probation and fine          | 8,748  | 3  |
| Prison and other            | 8,706  | 3  |

### **Prison Sentences**

Prison is the most serious sentence handed out in adult criminal court and is often given as the only sentence. In the eight participating jurisdictions, a prison sentence was imposed in 33% of all cases with convictions, and was the only sentence imposed in almost half of these cases. Of the cases resulting in prison, 50% of the terms were for one month or less, while 3% were for two years or more (Figure 4).

Figure 4

## Cases by length of prison for the most serious offence, 1996-97



\* The prison term was unknown in 1,556 or 2% of the cases where a prison sentence was imposed.

Note: Eight jurisdictions only

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

### More serious offences receive longer prison sentences

The median sentence length for all cases receiving prison was 60 days.<sup>9</sup> The categories of violent crimes and drug crimes have the longest median prison sentences (90 days).

Crimes against Property had a median prison sentence length of 75 days. The shortest median prison sentence lengths were reported for cases involving Other *Criminal Code* offences, Traffic, and Other Federal Statute offences (all 30 days) (Table 6).

The types of offences receiving a lengthy prison sentence were usually serious in nature, with offences against the person receiving the four longest median prison sentences. In total, there were twelve offences with a median prison sentence of 90 days or more. Eight of the twelve were offences against the person, but the list also includes breaking and entering, arson, drug trafficking and weapons offences. Common assault was the only offence against the person with a median length of prison that was less than the overall median sentence length of 60 days. Since common assault cases account for a large proportion of the offences against the person caseload, they play a major role in bringing down the median sentence for the Crimes against the Person category. The shortest median sentence length was for morals-sexual offences (21 days).

In general, offences with the longest median prison sentences also had the highest rates of incarceration. For example, homicide <sup>10</sup> (median sentence of 6 years), attempted murder (median 2.5 of years), and robbery (1.6 years) cases all had incarceration rates 78% and above. There were only two offences - weapons and abduction offences - where a long median length of prison (90 days and 210 days respectively) was associated with a low incarceration rate (29% and 30% respectively).

## **Probation Orders**

Probation sentences are less serious than a prison sentence and most probation orders carry conditions that convicted individuals have to meet in order to continue serving their sentence in the community. Some of the conditions placed on probation orders include weapons restrictions, motor vehicle operation restrictions, community service, or restrictions against the accused holding public office. Most of these sanctions are reported by the ACCS under "other", and this explains the large number of probation orders (58%) associated with an "other" sentence. When the accused fails to follow a probation condition, new charges may be heard in adult criminal court. There were 14,128 breach of probation cases heard in reporting adult criminal courts in 1996-97.

Includes manslaughter and infanticide only. First and second degree murder cases are under the exclusive jurisdiction of superior courts, which do not yet provide data to the ACCS.

Excludes 2,504 cases, or 1% of cases for which the sentence was unknown.
 The ACCS is unable to determine whether the prison sentence is to be served concurrently or consecutively with another prison sentence, and is not able to measure the length of the aggregate prison sentence given to an

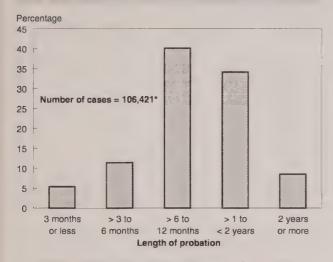
accused in cases involving convictions on more than one offence.

The median represents the mid-point of a group of values when all the values are sorted by size. The calculation of the median sentence length for prison excludes all cases where the sentence length was 1 day or unknown. One day prison sentences are usually a way of identifying prison sentences of time served, or prison time served in conjunction with a probation order, which cannot be given on its own.

A sentence of probation was imposed in 41% of cases resulting in conviction. Of these cases, approximately three-quarters had a probation sentence length that was between six and twenty-four months (**Figure 5**). Overall, the median length of probation was one year. <sup>11</sup>

Figure 5

## Cases by length of probation for the most serious offence, 1996-97



The length of probation was unknown in 451 or 0.4% of cases where probation was ordered.

Note: Eight jurisdictions only.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

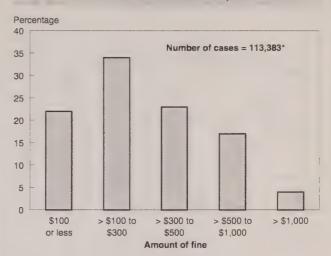
There were eleven offence types with a median sentence of probation of 18 months or longer. The types of offences receiving these lengthy probation orders were usually serious in nature, with ten also having long median prison sentences (120 days or more). Most violent crimes were given long probation terms, with attempted murder cases receiving the longest probation term allowed by law-3 years. Only two violent offences - major assault and common assault - had a median length of probation that was under 2 years (Table 6).

### **Fines**

Cases receiving fines tend to be less serious than those receiving other penalties. In only 3% of the cases resulting in a prison sentence was the offender also ordered to pay a fine. Fines are very frequently imposed as a single sentence. Forty-four percent of all the cases with convictions involving a fine had no other sanction associated with the case. Of the cases involving a fine, 56% were sentenced to pay a fine of \$300 or less and 21% were fined more than \$500 (Figure 6). The overall median fine amount was \$300.12

Figure 6

## Cases by amount of fine for the most serious offence, 1996-97



<sup>\*</sup> The amount of the fine was unknown in 1,651 or 1% of cases where a fine was imposed.

Note: Eight jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

### Median amount of fine highest for traffic offence group

The median fine amount for Traffic offence cases with convictions was \$500. This was the largest median fine amount imposed for any offence category, and reflects the mandatory \$300 fine for first time impaired driving convictions in this category. One-third (34%) of all fine sentences were for impaired driving cases. For individual offence types, the highest median fine amounts were imposed for kidnapping cases (\$1,500), morals-gaming offence cases (\$750) and drug trafficking cases (\$650) (Table 6).

## Most serious sentence

If the most serious charge in the case carries more than one sentence, the type of offence and the magnitude of the sentence are used to determine the most serious sentence in the case. Sanction types are ordered from most to least serious as follows: prison, probation, fine, restitution/compensation, and other. In 1996-97, prison was the most serious sentence in 33% of the cases with a finding of guilt.<sup>13</sup> Fines were given as the most serious sentence in another 36%, probation in 28%, and "other" in 3% of cases with convictions.<sup>14</sup> Restitution was the most serious sentence in less than 1% of cases with convictions (Box 4).

<sup>11</sup> The calculation of the median sentence length for probation excludes all cases where the sentence length was unknown.

<sup>&</sup>lt;sup>2</sup> The calculation of the median amount of fine excludes all cases where the amount of fine was unknown.

<sup>13</sup> The sentence was unknown in 1% of cases with a finding of guilt.

Figures for "other" as the most serious sentence are low since they are among the least serious sentence types, and are often used in combination with other more serious sentences

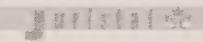


Table 6

### Cases by Type of Sentence, 1996-97

|                           | Total                  |         | Prison <sup>1</sup> |                | Pi      | robation <sup>2</sup> |                |         | Fine <sup>3</sup> |          |
|---------------------------|------------------------|---------|---------------------|----------------|---------|-----------------------|----------------|---------|-------------------|----------|
| Offence Group             | Cases with Convictions | Number  | %                   | Median<br>Days | Number  | %                     | Median<br>Days | Number  | 0/                | Media    |
|                           | OUTVICTIONS            | MULLIDO | /0                  | Days           | Number  | 70                    | Days           | Number  | %                 | \$ Amour |
| TOTAL OFFENCES            | 261,644                | 77,468  | 30                  | 60             | 106,421 | 41                    | 365            | 113,383 | 43                | 30       |
| CRIMINAL CODE TOTAL       | 225,322                | 72,188  | 32                  | 45             | 99,391  | 44                    | 365            | 87,823  | 39                | 30       |
| Crimes against the Person | 41,383                 | 15,125  | 37                  | 90             | 29,414  | 71                    | 365            | 8.153   | 20                | 30       |
| Homicide and Related      | 78                     | 66      | 85                  | 2,190          | 11      | 14                    | 730            | , g     | 12                | 25       |
| Attempted Murder          | 85                     | 72      | 85                  | 900            | 21      | 25                    | 1.080          | i       | 1                 | 50       |
| Robbery                   | 2,383                  | 1,869   | 78                  | 600            | 1,121   | 47                    | 730            | 32      | 1                 | 30       |
| Kidnapping                | 87                     | 49      | 56                  | 240            | 60      | 69                    | 730            | 11      | 13                | 1,50     |
| Sexual Assault            | 2,072                  | 1,234   | 60                  | 300            | 1,524   | 74                    | 730            | 177     | 9                 | 50       |
| Other Sexual Offences     | 703                    | 421     | 60                  | 180            | 580     | 83                    | 730            | 41      | 6                 |          |
| Major Assault             | 10.662                 | 4.965   | 47                  | 90             | 7,256   | 68                    | 540            |         |                   | 50       |
| Abduction                 | 33                     | 10      | 30                  | 210            |         |                       |                | 2,022   | 19                | 30       |
| Common Assault            |                        |         |                     |                | 27      | 82                    | 730            | 1       | 3                 | 12       |
| Common Assault            | 25,280                 | 6,439   | 25                  | 45             | 18,814  | 74                    | 365            | 5,859   | 23                | 250      |
| Crimes against Property   | 71,870                 | 24,275  | 34                  | 75             | 38,036  | 53                    | 365            | 19,710  | 27                | 201      |
| Break and Enter           | 10,693                 | 6,408   | 60                  | 180            | 6,909   | 65                    | 730            | 921     | 9                 | 30       |
| Arson                     | 342                    | 162     | 47                  | 270            | 269     | 79                    | 730            | 24      | 7                 | 50       |
| Fraud                     | 12.856                 | 3.770   | 29                  | 60             | 8.044   | 63                    | 450            | 2.867   | 22                | 200      |
| Possess Stolen Property   | 8,808                  | 3,403   | 39                  | 60             | 3,888   | 44                    | 365            | 2,903   | 33                | 300      |
| Theft                     | 31,272                 | 9.097   | 29                  | 45             | 14.099  | 45                    | 365            | 10,404  | 33                | 200      |
| Property Damage/Mischief  | 7,899                  | 1,435   | 18                  | 30             | 4,827   | 61                    | 360            | 2,591   | 33                | 200      |
| Other Criminal Code       | 57.792                 | 20,315  | 35                  | 30             | 20,856  | 36                    | 365            | 18,604  | 32                | 200      |
| Weapons                   | 4,439                  | 1,307   | 29                  | 90             | 2.089   | 47                    | 365            |         |                   |          |
| Administration of Justice | 22,330                 | 10,368  | 46                  | 30             | 4.926   | 22                    |                | 1,600   | 36                | 200      |
| Public Order Offences     | 5.002                  | 734     | 15                  | 30             |         |                       | 365            | 6,672   | 30                | 150      |
| Morais-Sexuai             | 3,121                  | 562     | 18                  |                | 1,514   | 30                    | 360            | 2,816   | 56                | 200      |
| Morals-Gaming             |                        |         |                     | 21             | 1,227   | 39                    | 365            | 1,208   | 39                | 200      |
|                           | 318                    | 5       | 1.6                 | 30             | 84      | 26                    | 360            | 200     | 63                | 750      |
| Unspecified Criminal Code | 22,582                 | 7,339   | 32                  | 30             | 11,016  | 49                    | 365            | 6,108   | 27                | 200      |
| Traffic                   | 54,277                 | 12,473  | 23                  | 30             | 11,085  | 20                    | 360            | 41.356  | 76                | 500      |
| Criminal Code Traffic4    | 5,959                  | 2.697   | 45                  | 30             | 1,456   | 24                    | 360            | 2.875   | 48                | 500      |
| Impaired Driving          | 48,318                 | 9,776   | 20                  | 30             | 9,620   | 20                    | 360            | 38,481  | 80                | 500      |
| FEDERAL STATUTE TOTAL     | 36,322                 | 5,280   | 15                  | 90             | 7,030   | 19                    | 365            | 25,560  | 70                | 150      |
| Drug-Related Offences     | 18,515                 | 4,591   | 25                  | 90             | 6,203   | 34                    | 365            | 9,454   | 51                | 200      |
| Trafficking               | 5,455                  | 3,350   | 61                  | 120            | 3,055   | 56                    | 730            | 1.320   | 24                | 650      |
| Possession                | 13,060                 | 1,241   | 10                  | 30             | 3,148   | 24                    | 360            | 8,134   | 62                | 200      |
| Other Federal Statutes    | 17,807                 | 689     | 4                   | 30             | 827     | 5                     | 365            | 16,106  | 90                | 100      |

<sup>1</sup> Prison sentences of one day or less have been excluded from the calculation of median days as well as prison sentences of unknown length (N= 8,558).

Note: Eight jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

## Sentencing in single-charge and multiplecharge cases

When examining the type, distribution and magnitude of sentences resulting from adult court cases with convictions, it is very useful to distinguish between cases containing only one charge versus those having more than one charge. The data indicate that, for the same offence type, multiple-charge cases tend to receive longer prison and probation sentences than single-charge cases.

## Multiple-charge cases more likely to receive prison

The most serious offence in multiple-charge cases is sentenced more severely by the court. The proportion of cases receiving prison as a sentence increased as the number of charges in the case increased. In 27% of single-charge cases, the most serious offence was given a prison sentence. In contrast, 39% of all multiple-charge cases received prison and 63% of these cases with five or more charges received a prison sentence (Figure 7).

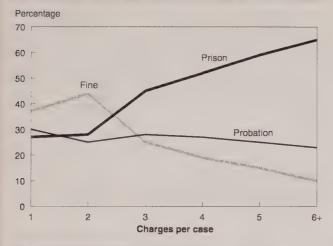
<sup>2</sup> Probation sentences with unknown lengths have been excluded from the calculation of median days (N= 451).

Fine sentences where the fine amount is unknown have been excluded from the calculation of median fine amounts (N= 1,651).

Includes, among others, dangerous operation, driving while disqualified and failing to stop at the scene of an accident.

Figure 7

## Most serious sentence by number of charges in the case, 1996-97



Note: Eight jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics,

Statistics Canada.

As the number of charges increased, the proportion of prison sentences increased dramatically, the proportion of fine sentences decreased, while the proportion of probation sentences remained fairly constant.

## Length of prison term increases with the number of charges in the case

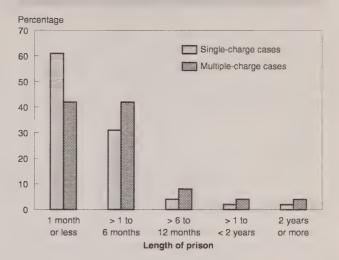
The length of prison sentence also appears to be influenced by the number of charges in the case. Of the cases receiving prison, single-charge cases resulted in shorter prison terms than the most serious offence in multiple-charge cases (**Figure 8**). The sentence length given was less than one month for 61% of single-charge cases compared to 42% for the most serious offence in multiple-charge cases. Overall, the median prison sentence length for multiple-charge cases was twice the duration of prison sentences given in cases with only one charge (60 days versus 30 days) (**Table 7**).

In cases involving more serious offences (Crimes against the Person, Crimes against Property, and Drug-Related Offences) the median prison sentence length given to the most serious offence was 50% longer for cases with multiple charges (90 days versus 60 days). There was, however, no difference in the median length of prison sentence imposed for less serious single and multiple-charge cases. Single

Figure 8

Cases by length of prison sentence ordered,

1996-97



Note: Eight jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

and multiple-charge cases with convictions in the Other *Criminal Code*, Traffic, and Other Federal Statutes categories were given the same median prison sentence length of 30 days (**Table 7**).

## Median length of probation and amount of fine is influenced by the number of charges

In a manner similar to prison sentences, the number of charges in a case appears to influence probation and fine sentences. Cases with more than one charge were slightly more likely to receive probation as a sentence - 42% of multiple-charge cases compared to 40% of single-charge cases. For the Crimes against the Person, Crimes against Property and Other *Criminal Code* categories, the median probation length was 540 days for multiple-charge cases while, for single-charge cases, it was 365 days. For the Drug-Related Offences category, the median probation length of multiple-charge cases was double that of single-charge cases (730 days to 365 days) (**Table 7**).

The most serious offence in the case was given a fine as a sanction in slightly more single-charge cases (45%) than multiple-charge cases (43%). Overall, the median fine given in multiple-charge cases (\$400) was double the median fine amount given in single-charge cases (\$200) (Table 7).

### Box 6 Sentencing reforms

Some sentencing reforms have recently been introduced in Canada. In September 1996, the federal government proclaimed Bill C-41 which contains a number of provisions designed to improve the nature of the sentencing process in Canada. Some of these reforms include the addition of a new sentence called a conditional sentence (of imprisonment) and the introduction of a number of additional changes to the sentencing process. In future years, adjustments will be made to the Adult Criminal Court Survey to capture these changes and report on their impact.



Table 7

### Median Sentence Length or Amount of Fine in Single-Charge and Multiple-Charge Cases, 1996-97

| Offence Group             | Pris<br>Type of |          |         | ation<br>of Case | Fine<br>Type of Case |          |  |
|---------------------------|-----------------|----------|---------|------------------|----------------------|----------|--|
|                           | Single          | Multiple | Single  | Multiple         | Single               | Multiple |  |
|                           | in days         | in days  | in days | in days          | \$                   | \$       |  |
| Total Offences            | 30              | 60       | 365     | 365              | 200                  | 400      |  |
| Crimes against the Person | 60              | 90       | 365     | 540              | 300                  | 250      |  |
| Crimes against Property   | 60              | 90       | 365     | 540              | 200                  | 200      |  |
| Other Criminal Code       | 30              | 30       | 365     | 540              | 200                  | 200      |  |
| Traffic                   | 30              | 30       | 270     | 360              | 500                  | 500      |  |
| Drug-Related Offences     | 60              | 90       | 365     | 730              | 200                  | 300      |  |
| Other Federal Statutes    | 30              | 30       | 365     | 365              | 99                   | 500      |  |

Note: Eight jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

## CASE PROCESSING

The time necessary to process a criminal case is dependent on many factors including the co-ordination of court resources, the number of judge sitting days, the nature and complexity of the case, and lawyers' decisions on the appropriate course of action for their clients.

### One in five cases are completed in a single appearance

Twenty percent of all cases were dealt with in a single appearance in 1996-97, a proportion that has remained unchanged since 1994-95. The proportion of cases requiring 6 or more appearances, however, has risen slightly from 23% to 26% in the same period.

Most cases (58%) were completed within 16 weeks of the first court appearance with only 9% taking longer than one year. This proportion has varied substantially over the last three years; it was 7% in 1994-95 and 26% in 1995-96.

| Cases by Elapsed Time   | Number  | %   |
|-------------------------|---------|-----|
| Single appearance cases | 84,910  | 20  |
| Up to 4 weeks           | 60,270  | 14  |
| > 4 to 16 weeks         | 99,928  | 24  |
| > 16 to 32 weeks        | 86,679  | 21  |
| > 32 to 52 weeks        | 48,436  | 12  |
| > 52 weeks              | 37,170  | 9   |
| Total Cases             | 417,393 | 100 |

Almost one quarter of single-charge cases were completed in one appearance compared to 15% for multiple-charge cases. This situation has not varied since 1994-95.

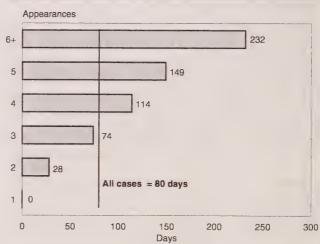
Single-charge cases had the shortest median elapsed time from the first court appearance to the last court appearance (63 days). This was significantly lower than the median elapsed time of multiple-charge cases (98 days). While the median elapsed time of single-charge cases has not changed over the last three years, the median elapsed time of multiple-charge cases has increased from 89 days in 1994-95. Overall, the median elapsed time has increased from 73 days in 1994-95 to 80 days in 1996-97.

## Processing time increased with the number of appearances

Undeniably, the more appearances a case has, the longer it will take. However, what is less clear, is how many days and months each additional appearance will add to the processing of a case. Examination of the elapsed time data revealed that each additional appearance added approximately one month to the median processing time of cases (Figure 9).

Figure 9

## Median elapsed time by number of appearances in the case, 1996-97



Note: Eight jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

An examination of the variations in processing time since 1994-95 reveals that only the processing time for cases with 2 appearances has remained stable during that period. The processing time has increased for all other cases with multiple appearances: from 70 days to 74 days for cases with 3 appearances, from 107 days to 114 days for cases with 4 appearances, from 140 to 149 for cases with 5 appearances and from 212 days to 232 days for cases with 6 or more appearances.

## Serious offences take longer to process

The median elapsed time from first appearance to last appearance was longer for more serious offences. Three of the four longest median elapsed times were for violent offences such as other sexual offences (191 days), sexual assault (182 days) and homicide and related (162 days). The violent offences category (Crimes against the Person) had the largest proportion of cases with four or more appearances and the longest median elapsed time (118 days). In contrast, cases of offences against Other Federal Statutes had by far the lowest median elapsed time (1 day) and the largest proportion of single-appearance cases (50%) (Table 8).

## **METHODOLOGY**

The objective of the Adult Criminal Court Survey (ACCS) is to develop and maintain a national adult criminal court database of statistical information on appearances, charges and cases. The survey is intended to be a census of federal and provincial/territorial statute charges and municipal bylaw infractions heard in adult criminal courts in Canada. The ACCS collects detailed data on completed charges, appearances and cases for federal statute offences, and aggregate data on completed and pending charges, appearances and cases for both federal and provincial/territorial statutes and municipal by-law offences.

Table 8

### Total Cases, Median Elapsed Time by Number of Appearances, 1996-97

|  |   | Elapsed Time in Days  |   |                  |   |   |  |  |   |   |   |  |  |  |
|--|---|---|---|------------------|---|---|--|--|---|---|---|--|--|--|
| Offence Group  | Total Cases   |   | Single<br>Appearance  |                  | Cases with 2 Appearances  |   | Cases with 3 Appearances   |  | Cases with<br>4 Appearances   |   | Cases with 5 Appearances  |  | Cases with<br>6 + Appearances  |  |
|  | Number  | Median  | % of cases  | Median           | % of cases  | Median  | % of cases   | Median   | % of cases  | Median  | % of cases  | Median   | % of cases   | Median   |
| TOTAL OFFENCES   | 417,393   | 80  | 20.3  |                  | 16.7  | 28  | 15.1   | 74   | 12.5  | 114   | 9.6   | 149  | 25.7   | 232  |
| CRIMINAL CODE TOTAL  | 367,652   | 84  | 18.5  | -                | 16.6  | 28  | 15.6   | 72   | 13.1  | 113   | 9.9   | 147  | 26.3   | 230  |
| Crimes against the Person Homicide and Related Attempted Murder Robbery Kidnapping Sexual Assault Other Sexual Offences Major Assault Abduction Common Assault | 81,739<br>434<br>403<br>4,265<br>350<br>6,203<br>1,287<br>20,749<br>118<br>47,930 | 118<br>162<br>133<br>112<br>137<br>182<br>191<br>133<br>75<br>105 | 9.3<br>10.6<br>6.7<br>6.2<br>8.6<br>6.5<br>6.1<br>7.3<br>26.3<br>10.9 | -                | 13.2<br>9.2<br>7.7<br>6.7<br>11.7<br>9.4<br>7.7<br>10.4<br>10.2<br>15.7 | 32<br>26<br>34<br>9<br>31<br>63<br>55<br>28<br>16<br>33 | 16.7<br>5.3<br>7.9<br>8.7<br>12.0<br>11.7<br>12.3<br>15.3<br>9.3<br>18.9 | 84<br>42<br>51<br>35<br>59<br>113<br>115<br>86<br>71<br>84 | 15.1<br>10.6<br>6.2<br>11.5<br>12.9<br>13.0<br>11.9<br>15.3<br>10.2<br>15.8 | 117<br>112<br>60<br>59<br>147<br>147<br>132<br>122<br>79<br>114 | 11.9<br>7.6<br>9.9<br>10.4<br>9.1<br>11.3<br>12.3<br>13.0<br>11.0 | 146<br>120<br>95<br>89<br>179<br>173<br>189<br>154<br>146<br>141 | 33.8<br>56.7<br>61.5<br>56.6<br>45.7<br>48.1<br>49.7<br>38.7<br>33.1<br>26.9 | 223<br>240<br>192<br>179<br>200<br>280<br>293<br>234<br>221<br>210 |
| Crimes against Property Break and Enter Arson Fraud Possess Stolen Property Theft Property Damage/Mischief   | 111,023<br>15,656<br>626<br>20,841<br>14,289<br>47,688<br>11,923                  | 71<br>87<br>133<br>105<br>95<br>48<br>76                          | 19.1<br>11.4<br>8.6<br>16.8<br>14.3<br>24.6<br>18.2                   | -<br>-<br>-<br>- | 18.1<br>12.4<br>6.9<br>15.5<br>14.1<br>22.3<br>19.2                     | 27<br>20<br>32<br>28<br>22<br>27<br>28                  | 14.8<br>13.7<br>11.5<br>13.8<br>14.4<br>15.3<br>16.8                     | 63<br>49<br>45<br>70<br>60<br>60<br>70                     | 12.3<br>14.1<br>11.2<br>12.3<br>13.3<br>11.2<br>13.8                        | 102<br>86<br>96<br>113<br>105<br>101<br>105                     | 9.3<br>12.0<br>12.3<br>9.6<br>11.1<br>7.6<br>9.5                  | 139<br>118<br>121<br>152<br>141<br>137<br>140                    | 26.3<br>36.4<br>49.5<br>32.1<br>32.8<br>19.1<br>22.6                         | 224<br>199<br>236<br>267<br>221<br>217<br>212                      |
| Other Criminal Code Weapons Administration of Justice Public Order Offences Morals-Sexual Morals-Garming Unspecified Criminal Code                             | 104,435<br>8,060<br>39,073<br>6,800<br>4,831<br>763<br>44,908                     | 56<br>98<br>25<br>61<br>73<br>193<br>71                           | 22.6<br>14.8<br>26.3<br>24.2<br>19.3<br>9.0<br>21.3                   | -                | 17.6<br>14.6<br>17.8<br>20.3<br>22.0<br>12.7<br>17.0                    | 20<br>28<br>7<br>28<br>35<br>35<br>27                   | 15.2<br>13.7<br>14.5<br>16.6<br>15.5<br>8.1<br>15.9                      | 58<br>68<br>35<br>76<br>71<br>61<br>70                     | 11.9<br>13.0<br>10.8<br>12.2<br>11.9<br>10.1<br>12.6                        | 98<br>110<br>69<br>114<br>104<br>111<br>112                     | 9.0<br>10.4<br>8.2<br>8.5<br>9.2<br>11.4<br>9.5                   | 133<br>133<br>105<br>154<br>143<br>348<br>145                    | 23.8<br>33.6<br>22.4<br>18.2<br>22.0<br>48.6<br>23.8                         | 213<br>217<br>185<br>225<br>216<br>301<br>231                      |
| Traffic Criminal Code Traffic Impaired Driving   | <b>70,455</b><br>8,478<br>61,977  | <b>98</b><br>105<br>98  | 22.2<br>16.0<br>23.1  | -<br>-           | <b>16.7</b><br>16.0<br>16.8   | <b>31</b><br>31<br>31                                   | <b>16.2</b> 16.3 16.2  | <b>98</b><br>85<br>99                                      | <b>13.6</b><br>14.1<br>13.5   | <b>146</b><br>122<br>148  | <b>10.0</b><br>11.4<br>9.8  | <b>183</b><br>158<br>189   | <b>21.4</b> 26.2 20.7  | 281<br>243<br>288  |
| FEDERAL STATUTE TOTAL  | 49,741  | 48  | 33.7  |                  | 17.8  | 40  | 11.9   | 82   | 8.6   | 120   | 6.9   | 161  | 21.1   | 251  |
| Drug-Related Offences<br>Trafficking<br>Possession   | <b>27,295</b><br>10,014<br>17,281   | <b>91</b><br>160<br>51  | <b>20.4</b> 5.6 29.0  | -                | <b>14.5</b><br>7.8<br>18.4  | 28<br>28<br>28  | <b>13.3</b><br>11.2<br>14.5  | <b>74</b><br>76<br>72                                      | <b>11.3</b><br>12.4<br>10.7   | <b>114</b><br>114<br>114  | <b>9.4</b><br>12.1<br>7.9   | 148<br>152<br>147  | <b>31.0</b><br>50.9<br>19.5  | 238<br>250<br>220  |
| Other Federal Statutes   | 22,446  | 1   | 49.8  | -                | 21.9  | 49  | 10.1   | 93   | 5.4   | 146   | 3.9   | 206  | 9.0  | 340  |

<sup>-</sup> nil or zero.

Note: Eight jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

<sup>1</sup> Includes, among others, dangerous operation, driving while disqualified, and failing to stop at the scene of an accident.



### Coverage

Coverage limitations may have an impact on the information reported by the ACCS. The absence of national coverage for provincial/territorial courts, and the lack of data from municipal, superior and appeal courts represent current limitations of the survey. In addition, not all provincial/territorial court locations in the participating jurisdictions report to the survey. Quebec's 140 municipal courts do not report to the survey. It is estimated that 20 percent of federal statute charges in Quebec are heard in municipal courts.

Since the ACCS does not collect information from superior courts, variations across jurisdictions for serious offences transferred to a higher level of court may result in slight differences in the proportions reported for each disposition group. When a case is transferred to another court - in another province/territory, or a different court location in the same province/territory - the criminal case against the accused continues in the new court location. For reporting purposes, such cases will have a final disposition in the originating court location and a second disposition, which determines the guilt or innocence of the accused, in the court location where the case was transferred. The relative impact on the distribution

and number of dispositions will depend on the frequency of court transfers.

Differences in court structure will also affect the balance of disposition types within a jurisdiction. A higher number of "waived within province/territory" dispositions, which are grouped in the 'other' category, are expected in those jurisdictions where a circuit court structure (satellite court locations which are in session on a rotational basis) is employed.

### Factors influencing the number of charges laid

Charging policy is a provincial/territorial responsibility. In Quebec, the approval of the Crown prosecutor is required before charges can be laid by police. The police must complete a "Report to Crown Counsel", which includes details of the case and the results of the investigation. Charges are laid based on Crown Counsel's review of this report. Prosecution's involvement in the charging process may influence Quebec's conviction rate. In the other provinces and territories presently reporting to the ACCS, laying charges is the responsibility of the police.

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# A ONE-DAY SNAPSHOT OF INMATES IN CANADA'S ADULT CORRECTIONAL FACILITIES

by David Robinson, Frank J. Porporino, William A. Millson T<sup>3</sup> Associates Training and Consulting, Ottawa, Ontario

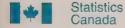
Shelley Trevethan, Barry MacKillop Canadian Centre for Justice Statistics

## HIGHLIGHTS

The data presented in this *Juristat* are based on a "One-Day Snapshot" survey of all inmates who were on-register in adult correctional facilities on Saturday, October 5th, 19961.

- On October 5<sup>th</sup>, 1996, there were over 37,000 inmates on-register in 151 provincial/territorial and 48 federal facilities in Canada. This represents a rate of 17 inmates per 10,000 adult population in Canada.
- The majority of federal inmates (63%) were in medium security facilities, while the majority of provincial/territorial inmates were either in multi-level (40%) or maximum security (39%) facilities. This difference may be due to the fact that remand inmates, who are being held temporarily, are usually housed in maximum or multi-level security facilities.
- Almost two-thirds (63%) of provincial/territorial inmates were sentenced inmates. A further one-quarter were on remand, and 10% were serving intermittent sentences.
- Those between 20 and 39 years of age were over-represented in adult custodial populations.
- While Aboriginal persons account for approximately 2% of the adult population in Canada, they accounted for 17% of the adult inmates. These differences were particularly evident in western Canada.
- Inmates had fewer years of education, were more likely to be unemployed at the time of admission, and less likely to be married, compared to the adult population of Canada.
- Most provincial/territorial sentenced inmates had prior criminal histories. The majority had at least one previous adult conviction (83%) and approximately three-quarters (72%) had a prior term of provincial/territorial incarceration.
- Almost three-quarters (73%) of federal inmates were currently incarcerated for a crime against the person, in particular homicide/attempted murder and robbery. Among provincial/territorial inmates, one-third (33%) were currently incarcerated for a crime against the person, in particular robbery and sexual assault.
- Almost one-half (45%) of sentenced provincial/territorial inmates were serving terms of less than six months, while one-half (50%) of federal inmates were serving terms of less than six years.
- For the 7 jurisdictions that reported data<sup>2</sup>, nearly 5 in 10 of the provincial/territorial sentenced inmates were classified as high-risk to re-offend.

<sup>&</sup>lt;sup>2</sup> Data were available for Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, Manitoba, Yukon, and the Northwest Territories.





<sup>&</sup>quot;On-register" refers to the number of inmates who have been placed at that facility to serve their sentence. Inmates may not be physically located at the facility on Snapshot day because they were away from the facility (e.g., on temporary absence, serving an intermittent sentence in the community, away for medical reasons or court appearances, etc.).

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### All prices exclude sales tax

Catalogue no. 85-002-XPE, is published in a paper version for \$10,00 per issue or \$93.00 for an annual subscription in Canada. Outside Canada the cost is US\$10.00 per issue or US\$93.00 for an annual subscription. Catalogue no. 85-002-XIE, is available on Internet for \$8.00 cdn per issue or \$8.00 cdn for an annual subscription. Please send orders to Statistics Canada, Operations and Integration Division, Circulation Management, 120 Parkdale Avenue, Ottawa, Ontario, K1A 0T6 or by dialling (613) 951-7277 or 1 800 700-1033, by fax (613) 951-1584 or 1 800 889-9734 or by Internet: order@statcan.ca. For change of address, please provide both old and new addresses. Statistics Canada publications may also be purchased from authorized agents, bookstores and local Statistics Canada offices.

June 1998 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

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## INTRODUCTION

The Canadian Centre for Justice Statistics, in collaboration with federal and provincial/territorial corrections authorities, conducted a census of inmates in all adult correctional facilities in Canada on October 5<sup>th</sup>, 1996. This is the first time that a Snapshot of all adult inmates in Canada has been taken.

The "One-Day Snapshot" occurred on Saturday, October 5th, 1996. The data describe all inmates who were "on-register" in federal and provincial/territorial facilities at midnight on Snapshot day. The "on-register" population refers to the number of inmates who have been placed in a facility to serve their sentence. The "actual-in" population is the total number of inmates who were physically located at the correctional facility on Snapshot day (excluding inmates who were away from the facility on temporary absence, serving an intermittent sentence in the community, or away for medical reasons, court appearances, etc.).

The data gathered covered: the number and types of facilities in each jurisdiction and the nature and amount of accommodation available; inmate demographic and background information (e.g., marital status, education, employment experience, language, and citizenship); case characteristics such as the inmate's legal status, security classification, offence and sentencing data; security concerns; use of segregation; and, comprehensive information on the level of risk and the nature of program needs of inmates for a number of jurisdictions.

The purpose of the project was to provide more detailed information on the makeup of federal and provincial/territorial inmate populations in Canada. In Canada, the responsibility for housing offenders sentenced to a term of incarceration is shared between the federal and the provincial/territorial governments. Correctional Service Canada (CSC) is responsible for offenders sentenced to two or more years. Provincial/territorial corrections are responsible for offenders who receive custodial sentences of less than two years and for housing persons charged with offences who have been "remanded" to custody while awaiting trial<sup>3</sup>. The dual responsibility for sentenced and remand inmates presents some particular difficulties for managing the inmate population for purposes of accommodation planning and programming.

Normally, a person who is sentenced to a term of incarceration of two years or more is housed in a federal facility and a person who receives a term of incarceration of less than two years serves their time in a provincial/territorial facility. In exceptional cases, inmates serving less than two years may be transferred to a federal facility. Inmates in provincial/territorial facilities may be federal inmates who are awaiting transfer to a federal facility, or inmates being held under an Exchange of Service Agreement.

This *Juristat* provides a brief description of adult correctional facilities in Canada. It then focuses on describing Canada's adult inmates on one day of the year, including the number of inmates in custody, inmate characteristics, offences, and sentence length. The final section provides information on risk and need profiles of inmates in a select number of jurisdictions in Canada. Although data are not available for all jurisdictions, it is the first time that comparisons of inmate risk and need levels are available for several jurisdictions.

## **ADULT CORRECTIONAL FACILITIES IN CANADA**

In Canada, there are 199 adult correctional facilities in which over 37,000 inmates are accommodated

On October 5<sup>th</sup>, 1996, there were 199 adult correctional facilities in Canada, with 37,541 inmates on-register. This included 151 provincial/territorial facilities and 48 federal CSC facilities (see Table 1). Among the provinces/territories, Ontario had the largest number of facilities (47), followed by Quebec and British Columbia (19 each). Prince Edward Island and Yukon had the fewest number of facilities (2 each).

Remand refers to persons who have been charged with an offence and ordered by the court to custody while awaiting a further court appearance. They have not been sentenced to custody or community sanctions but can be held for a number of reasons (e.g., risk that they will fail to appear for their court date, risk to re-offend, etc.).

Table 1

### Distribution of Correctional Facilities and Inmate Populations on October 5, 19961

| Jurisdiction   | # of<br>Facilities | Total<br>Capacity <sup>2</sup> | On-Register<br>Count | Capacity<br>"On-Register" | Actual-In<br>Count <sup>3</sup> | Capacity<br>"Actual-in" |
|--|--------------------|--------------------------------|----------------------|---------------------------|---------------------------------|-------------------------|
|  |                    |                                |                      | %                         |                                 | %                       |
| Newfoundland<br>Prince Edward Island                                   | 6                  | 351<br>107                     | 346<br>66            | 99<br>62                  | 299<br>66                       | 85<br>62                |
| Nova Scotia<br>New Brunswick   | 9<br>10            | 512<br>388                     | 490<br>496           | 96<br>128                 | 432<br>396                      | 84<br>102               |
| Quebec<br>Ontario  | 19<br>47           | 3,483<br>7,914                 | 5,766<br>8,416       | 166<br>106                | 3,424                           | 98                      |
| Manitoba<br>Saskatchewan <sup>4</sup>                                  | 8<br>15            | 976<br>1,228                   | 1,062<br>1,153       | 109<br>94                 | 942<br>1,117                    | 97<br>91                |
| Alberta<br>British Columbia<br>Yukon                                   | 10<br>19<br>2      | 2,412<br>2,259<br>131          | 2,889<br>2,603<br>79 | 120<br>115<br>60          | 2,176<br>2,324<br>76            | 90<br>103<br>58         |
| Northwest Territories  | 4                  | 244                            | 313                  | 128                       | 273                             | 112                     |
| Provincial/Territorial Total Provincial/Territorial Total (excl. Ont.) | 151<br>            | 20,005<br>12,091               | 23,679               | 118                       | <br>11,525                      | <br>95                  |
| CSC  | 48                 | 12,721                         | 13,862               | 109                       | 13,610                          | 107                     |
| TOTAL (excl. Ont.)   | 199<br>            | 32,726<br>24,812               | 37,541<br>           | 115<br>                   | 25,135                          | <br>101                 |

<sup>..</sup> Figures not available.

# Jurisdictions vary in the nature and types of correctional facilities they use

Correctional institutions across Canada represent a variety of types of facilities, security levels, and special accommodation arrangements. Most federal facilities (45) were classified as penitentiaries while the remainder were described as psychiatric centres (3). Just over one-half (52%) of the provincial/territorial facilities were described as "correctional centres". An additional 27% were described as jail/detention centres, and 16% as alternative minimum security facilities. Only a small number were categorized specifically as remand centres (5%).

The definition of facility type varies across jurisdictions. Generally, correctional centres or penitentiaries are used to accommodate the majority of sentenced inmates, jail/detention centres are used for shorter-term, and remand inmates, and remand centres are reserved for inmates awaiting trial. Alternative minimum security facilities, such as camps, farms, day detention centres, treatment centres, and community residences, tend to be used for inmates who are at lower risk of causing disturbances or security incidents.

More than one-half of federal facilities had protective custody units (56%) and the majority included punitive/administrative segregation units (63%). Similarly, a large proportion of provincial/territorial facilities had separate protective custody units (59%) and about three-quarters (72%) had punitive/administrative segregation units.

The majority of federal inmates are held in medium security facilities, while provincial/territorial inmates tend to be held in either multi-level or maximum security facilities

Security level is an essential feature of custodial operations. Most jurisdictions use four security designations: "maximum"; "medium"; "minimum", and "multi-level". Figure 1 shows the distribution of inmates by security level of the facility. On Snapshot day, almost two-thirds of federal inmates (63%) were housed in medium security facilities. A further 20% were accommodated at the maximum level of security, 14% in minimum security, and 3% in multi-level facilities.

Each jurisdiction defines security levels differently. However, generally:

- "maximum" security facilities normally use high security fencing around the perimeter of the facility and inmate movement is often highly restricted within the facility.
- "medium" facilities also use fences around perimeters, however, security is lower, and inmate movement is somewhat less restricted.
- "minimum" facilities normally do not use fences to enclose buildings and inmate movement is generally unrestricted during most periods (except night).
- "multi-level" facilities combine features of two or more of the security levels defined above. Some facilities use the same buildings to accommodate inmates classified at different security levels, while others use separate structures for each security level. Multi-level security facilities may be enclosed by fences.

<sup>...</sup> Figures not appropriate or applicable

Includes all facilities that were operational on Snapshot Day.

Defined as the number of permanent beds in the facility.

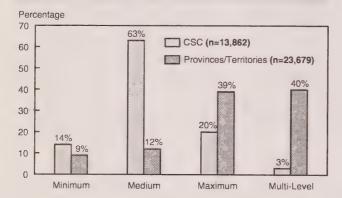
<sup>3 &</sup>quot;Actual-in" counts were not available for Ontario

Includes 2 facilities that were operational but that had no inmates.

Maximum security facilities were used more commonly at the provincial/territorial than the federal level. More than one-third (39%) of provincial/territorial inmates were housed in maximum security facilities and 40% were housed in multi-level facilities. Only 12% of provincial/territorial inmates were housed in medium security, and 9% in minimum security facilities. The difference in security levels between federal and provincial/territorial facilities is likely due to the fact that provinces and territories are responsible for housing persons charged with offences who have been "remanded" to custody while awaiting trial. Remand inmates, who are being held temporarily, are typically housed in maximum or multi-level security facilities.

Figure 1

# Distribution of inmates by security level of facility



# NUMBER OF INMATES IN ADULT CORRECTIONAL FACILITIES

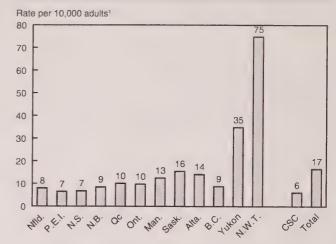
# Approximately 17 persons per 10,000 of the adult population are incarcerated in Canada

As mentioned earlier, there were 37,541 inmates "on-register" in Canadian correctional facilities on Snapshot day. Over one-third of these (13,862 or 37%) were in federal CSC facilities (Table 1). Among the provinces/territories, the number of inmates ranged from 66 in Prince Edward Island to 8,416 in Ontario. Ontario and Quebec accounted for 14,182 or 60% of adult inmates on register in provincial/territorial facilities.

Based on the on-register inmate population, a rate of approximately 17 persons per 10,000 of Canada's population were incarcerated on Snapshot day (Figure 2). Federal rates of incarceration were 6 persons per 10,000 adult population. Provincial/territorial rates of incarceration ranged from a low of 7 per 10,000 adult population in Prince Edward Island and Nova Scotia, to a high of 75 per 10,000 in the Northwest Territories.

Figure 2

### Adult incarceration rates by jurisdiction



<sup>1</sup> The rates are calculated using 1996 Canadian Census data

# The number of inmates exceeds accommodation capacity in many correctional facilities

An important issue in examining population size and distribution of inmates in correctional facilities is that of overcrowding. As illustrated in Table 1, the use of available accommodation capacity varied widely across jurisdictions.

Based on the on-register populations, CSC and seven of the provinces/territories reported over-capacity populations, ranging from 6% over-capacity in Ontario to 66% over-capacity in Quebec. Yukon and Prince Edward Island reported on-register populations that were considerably lower than the capacity of their facilities (40% and 38%, respectively undercapacity).

When capacity was calculated based on the "actual-in" inmate populations (i.e., the actual number of inmates physically located in the correctional facility on Snapshot day), the number of jurisdictions with over-capacity situations decreased. Based on the actual-in populations, CSC was still operating over-capacity (7%). In addition, the Northwest Territories, British Columbia and New Brunswick still reported over-capacity populations (12%, 3% and 2%, respectively). Since actual-in population data were not available for Ontario, it is unknown whether they remained over-capacity. Many of the other jurisdictions remained close to capacity when counting only those inmates physically located in the facility on Snapshot day. Overall, the provincial/territorial jurisdictions (excluding Ontario) were operating at 95% capacity based on the actual-in inmate counts.

<sup>&</sup>quot;Actual-in" counts were not available for Ontario, therefore the percentage over-capacity for the combined provinces/territories and the overall total exclude Ontario. It should also be noted that the Snapshot was taken on a Saturday in order to include inmates serving an intermittent sentence. Typically, intermittent sentences are served on weekends. Therefore, overcapacity based on actual-in counts may differ on weekdays.

Some jurisdictions make more extensive use of their temporary absence programs. Temporary absences allow the inmate to leave the facility for a limited period (from a few hours to a few days). They are granted for a variety of reasons including medical, administrative (e.g., court appearances), and compassionate reasons. The absence may be either escorted or unescorted. In Quebec, for example, the use of temporary absence programs may help to explain the difference between their on-register count (66% overcapacity) and their actual-in count (2% under-capacity).

# A PROFILE OF CANADA'S ADULT INMATES

# **Characteristics of the Inmate Population**

Individuals awaiting trial account for about one in four of the provincial/territorial inmates

Whereas all inmates in federal facilities have been sentenced, inmates in provincial/territorial facilities may be there for several reasons. Inmates' legal status include: regular provincial/territorial sentence, serving an intermittent sentence<sup>5</sup>, on remand, or an "other" category which includes those on temporary detention, immigration holds, etc. In examining the composition of provincial/territorial on-register inmate populations according to the inmates' legal status, almost two-thirds (63%) of provincial/territorial inmates were regular sentenced inmates. A further one-quarter (25%) were remand inmates, one in ten were intermittent sentenced inmates, and 2% had other legal status.

# Males, younger adults, and Aboriginal persons are more likely to be incarcerated

Although there are approximately equal proportions of adult males and females in the population in Canada (49% male and 51% female), 95% of inmates on-register in adult correctional facilities on Snapshot day were male (Table 2).

In federal institutions, 98% of inmates were male and in the provincial/territorial facilities, males represented 93% of the inmate population.

The median<sup>6</sup> age for inmates, particularly those within provincial/territorial facilities, was less than that for adults in Canada. On Snapshot day, the median age was 31 for provincial/territorial inmates and 34 for federal inmates. The median age for adults in Canada is 41 years (Table 2).

Figures 3 and 4 illustrate how the male and female adult population in Canada is distributed by age compared with the on-register inmate population. Generally, younger age groups are over-represented in custodial populations, particularly adults between the ages of 20 and 39. Around age 40, this pattern is reversed. On Snapshot day, in provincial/territorial facilities, males aged 20-24 were the most over-represented. Almost one-quarter (22%) of the male provincial/territorial inmate population falls within this age group, compared to 9% of the adult male population in Canada. In federal facilities, males in the age groups 25-29 and 30-34 were the most over-represented. Eighteen percent of male federal inmates were between 25-29 (compared to 10% of the adult male population in Canada) and 21% were between 30-34 (compared to 12% of the adult male population in Canada).

For female inmates, provincial/territorial inmates tended to be older than those in federal facilities. Those aged 30-34 were the most over-represented in provincial/territorial facilities. One-quarter (25%) of the female provincial/territorial inmates were in this age group, compared to 11% of the adult female population in Canada. In federal facilities, females in the age group 25-29 were the most over-represented. Almost

Table 2

#### **Selected Inmate Characteristics**

|  | Adult Population in Canada <sup>1</sup> |                  | l/Territorial<br>nates |                 | CSC<br>mates      | Total<br>Inmates |                   |  |
|--|---|------------------|------------------------|-----------------|-------------------|------------------|-------------------|--|
| Median Age   | 41                                      |                  | 31                     |                 | 34                |                  | 32                |  |
|  | Percent                                 | Total<br>Sample  | Percent of<br>Sample   | Total<br>Sample | Percent of Sample | Total<br>Sample  | Percent of Sample |  |
| Male <sup>2</sup>                                    | 49                                      | 23,678           | 93                     | 13,862          | 98                | 37,540           | 95                |  |
| Aboriginal <sup>3</sup> Grade 9 or Less <sup>4</sup> | 2<br>19                                 | 23,494<br>19,903 | 18<br>34               | 13,862<br>5,002 | 14<br>46          | 37,356<br>24,905 | 36                |  |
| Unemployed <sup>5</sup> Married <sup>6</sup>         | 7<br>63                                 | 9,239<br>18,682  | 54<br>24               | 2,620<br>13,693 | 43<br>41          | 11,859<br>32,375 | 52<br>31          |  |

<sup>&</sup>lt;sup>1</sup> Based on 1996 Canadian Census.

Intermittent sentences are for 90 days or less and inmates serve their sentences on a periodic basis of 2-3 days at one time, usually on weekends. These inmates return to the community to resume employment and family responsibilities when they are not in custody.

The median represents the mid-point when all values are arranged in order of magnitude. One-half of the observations have a value less than or equal to the median; one-half have a value greater than or equal to the median.

<sup>&</sup>lt;sup>2</sup> Missing data for 1 provincial/territorial inmate.

Missing data for 185 provincial/territorial inmates (<1%).</p>

Missing data for 3,776 provincial/territorial inmates (16%) and 8,860 CSC inmates (64%).

Missing data for 14,440 provincial/territorial inmates (61%) and 11,242 CSC inmates (81%).

<sup>&</sup>lt;sup>6</sup> Refers to those married at time of admission. Missing data for 4,997 provincial/territorial inmates (21%) and 169 CSC inmates (1%).

one-quarter (22%) of female federal inmates were in this age group, compared to 10% of the adult female population in Canada.

Figure 3

# Males – Age distribution of adult population and inmates

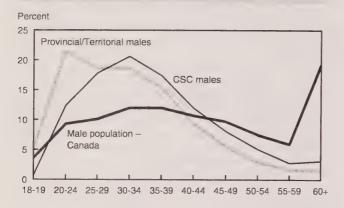
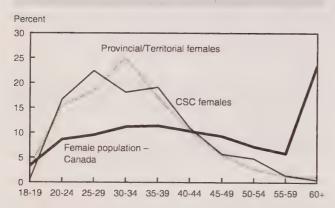


Figure 4

# Females – Age distribution of adult population and inmates



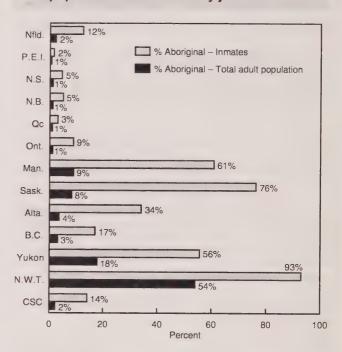
The Snapshot data support other findings that typically show higher incarceration rates for Aboriginal peoples. While Aboriginal persons account for approximately 2% of the adult population in Canada, they accounted for 17% of the inmates on Snapshot day (Table 2). In provincial/territorial facilities, Aboriginal persons accounted for 18% of the inmates, while in federal facilities they accounted for 14% of the inmates.

As illustrated in Figure 5, the proportion of Aboriginal inmates varied considerably across jurisdictions; however, in all jurisdictions the proportion of Aboriginal inmates was substantially larger than the proportion of Aboriginal persons in the population. These differences are particularly evident in western Canada. In Saskatchewan, for example, the proportion of Aboriginal persons incarcerated was almost 10 times their proportion in the provincial population (76% of the inmate population compared to 8% of the provincial

population). In Manitoba, 61% of the inmates were Aboriginal persons (compared to 9% in the provincial population) and in Alberta, over one-third (34%) of the inmates were Aboriginal persons (compared to 4% in the provincial population). In the other jurisdictions, the proportion of Aboriginal persons incarcerated ranged from twice to almost nine times their proportion in the provincial/territorial population.

Figure 5

# Aboriginal persons – Proportion of adult population and inmates by jurisdiction



Inmates had fewer years of education, were more likely to be unemployed, and less likely to be married in comparison to the adult population of Canada

As illustrated in Table 2, 36% of those incarcerated on Snapshot day, for whom information was available<sup>7</sup>, had a grade 9 education or less, compared to 19% of adults in Canada. An even larger proportion of those in federal institutions (46%) had a grade 9 education or less. Further, one-half of all inmates (52%) were unemployed at the time of admission to the facility, compared to only 7% of adults in Canada. Finally, only one-third (31%) of inmates were married at time of admission, compared to two-thirds (63%) of adults in Canada. Provincial/territorial inmates were less likely than federal inmates to be married (24% versus 41%).

Most provincial/territorial inmates have previous adult convictions and the majority have already served prison time at least once before their current incarceration

Nine provinces/territories were able to provide criminal history information for inmates who were on-register on Snapshot

<sup>7</sup> Education data were not available for British Columbia and Yukon, and for 64% of CSC inmates.

day8. Within these jurisdictions, the majority of inmates (83%) had at least one previous adult conviction. Further, almost three-quarters (72%) had a prior term of provincial/territorial incarceration. About one-half of the inmates (49%) had a previous probation term.

#### **Current Offences**

Inmate populations differ most importantly in the nature of their criminal offences and the length of their sentences. These two factors are primary considerations in correctional decision-making on how inmates should be managed and what programming they may require. The Snapshot survey produced detailed information for up to five of the "most serious offences" for which provincial/territorial and CSC inmates were currently incarcerated9.

#### Almost three-quarters of federal inmates and one-third of provincial/territorial inmates were currently incarcerated for a crime against the person

The most serious current offence (not necessarily the only offence for which an inmate is incarcerated) for approximately one-half (49%) of inmates on Snapshot day was a crime against the person (Table 3). Another one-quarter (28%) were incarcerated for property offences, and 23% for "other" Criminal Code or federal statute offences. Almost threequarters of federal inmates (73%) had crimes against the person as their most serious offence, primarily offences such as homicide/attempt murder or robbery (24% each).

One-third (33%) of the provincial/territorial inmates had crimes against the person as their most serious offence, primarily robbery and sexual assault (9% and 7%, respectively). A larger proportion of provincial/territorial inmates were incarcerated for property offences (37%), primarily break and enter (18%) and theft (8%). Thirty percent of provincial/

Full criminal history data were available for Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, Quebec, Manitoba, Yukon, and the Northwest Territories. Ontario was able to provide all criminal history data except number of previous convictions. Criminal history data were not available for Saskatchewan, Alberta, British Columbia, and CSC.

The most serious offence is based on the Seriousness Index of the Revised Uniform Crime Reporting (UCR) Survey Violation Coding Structure that defines seriousness in terms of length of maximum sentence and the degree of injury or threat of injury to the victim. Offences are grouped into the following major offence categories: Crimes Against the Person (e.g., homicide/attempt murder, sexual assault, serious assault, minor assault, robbery, and other violent); Property Offences (e.g., break and enter, theft, fraud, and other property); and Other Criminal Code and Federal Statute Offences (e.g., weapons offences, administration of justice offences, impaired offences, drug offences, and other Criminal Code/ Federal Statute offences).

Table 3

### Distribution of Offence Types<sup>1</sup>

| # of                 |  |                      | Crimes             | Against the Person        |                   |                  |          |
|----------------------|--|----------------------|--------------------|---------------------------|-------------------|------------------|----------|
| Inmates <sup>2</sup> | Homicide/<br>Attempt<br>Murder   | Sexual<br>Assault    | Serious<br>Assault | Minor<br>Assault          | Robbery           | Other<br>Violent | TOTAL    |
|                      |  |                      |                    | percent                   |                   |                  |          |
| 16,121               | 2  | 7                    | 6                  | 5                         | 8                 | 2                | 30       |
|                      |  | 6                    | 6                  | 6                         |                   |                  | 44       |
| 21,493               | 3  | 7                    | 6                  | 5                         | 9                 | 3                | 33       |
| 13,829               | 24   | 14                   | 4                  | -                         | 24                | 7                | 73       |
| 35,322               | 11   | 9                    | 6                  | 3                         | 15                | 4                | 49       |
| # of                 |  | Property Crimes      |                    |                           |                   |                  |          |
| inmates <sup>2</sup> | B&E  | Theft                |                    | Fraud                     |                   | 4                | TOTAL    |
|                      |  |                      |                    | percent                   | -                 |                  |          |
| 16.121               | 20   | 9                    |                    | 4                         |                   | 3                | 39       |
| 5,372                | 14   | 6                    |                    | 4                         |                   | ŝ                | 29       |
| 21,493               | 18   | 8                    |                    | 4                         | 1                 | 6                | 37       |
|                      | 12   | . 1                  |                    |                           | :                 | 2                | 15       |
| 35,322               | 16   | 5                    |                    | 3                         | 4                 |                  | 28       |
| # of                 |  |                      | Other Criminal     | Code (CC)/Federal Statute | ls 2              |                  |          |
| Inmates              | Weanons  | Admin of             | Impaired           | Drug                      |                   | Other            |          |
|                      | Offences   | Justice              | Offences           |                           |                   |                  | TOTAL    |
|                      |  |                      |                    | percent                   |                   |                  |          |
| 16,121               | 2  | 3                    | 8                  |                           |                   | 11               | 31       |
| 5,372                | 4  | 4                    | 2                  | 4                         |                   | 12               | 28       |
| 21,493               | 3  | 4                    | 6                  | 6                         |                   | 11               | 30       |
| 13,829               |  |                      | 1                  | 8                         |                   | 2                | 11       |
| 35,322               | 2  | 2                    | 4                  | 7                         |                   | 8                | 23       |
|                      | 16,121<br>5,372<br>21,493<br>13,829<br>35,322<br># of Inmates <sup>2</sup><br>16,121<br>5,372<br>21,493<br>13,829<br>35,322<br># of Inmates <sup>2</sup> | Inmates <sup>2</sup> | Inmates2           | Homicide/ Attempt         | Homicide/ Attempt | Nomicide         | Homicide |

Based on the current most serious offence.

Missing data for 2,186 provincial/territorial inmates (9%) and 33 CSC inmates (<1%).

<sup>&</sup>quot;Sentenced" includes regular, intermittent and inmates on "other" legal status.

territorial inmates were incarcerated for "other" *Criminal Code* or federal statute offences. Finding a larger proportion of federal offenders incarcerated for crimes against the person is not surprising since offenders in federal institutions are typically those involved in more violent or serious offences who have received significantly longer sentences than those in provincial/territorial facilities.

Among the provincial/territorial inmates, a higher proportion of remand inmates had committed crimes against the person, as compared to sentenced inmates (44% versus 30%). Again, this would be expected since offenders on remand are often those involved in more serious offences. However, it should be noted that remand inmates have not yet been convicted, and they may be convicted of a less serious offence than that for which they are currently incarcerated.

# Jurisdictions vary in the proportions of inmates in custody for crimes against the person

As illustrated in Figure 6, the proportion of provincial/territorial inmates with crimes against the person as their most serious offence ranged from 25% in Prince Edward Island to 55% in the Northwest Territories. Among the federal inmates, almost three-quarters (73%) had a crime against the person as their most serious offence.

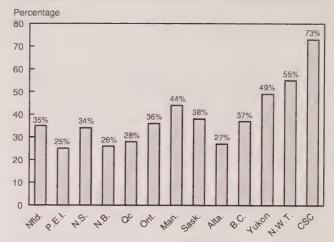
# Offence patterns of provincial/territorial inmates are less serious and varied than those of federal inmates

An analysis of up to five of the most serious offences for which each inmate was currently incarcerated was conducted to provide a picture of the number of different "types" of offences for which inmates were incarcerated. This essentially provides an indication of the variety of offending.

There was a tendency for offences to be more violent in character among federal inmates. Almost one-third of federal inmates (31%) had only crimes against the person and another 46% had both crimes against the person and other types of offences among their five most serious current offences (Table 4). Only 22% of federal inmates were currently incarcerated for non-violent types of offences only. Offence

Figure 6

# Proportion of inmates incarcerated for crimes against the person<sup>1</sup>



Offence data were missing for 33 (0.2%) of the CSC offenders and 2,186 (9%) of the provincial/territorial offenders.

patterns for provincial/territorial inmates were generally more non-violent in nature. Almost two-thirds (63%) were currently incarcerated for non-violent offences only. Although the largest proportion of provincial/territorial inmates, both sentenced and remand, were currently incarcerated for non-violent offences (66% and 53%, respectively), a larger proportion of remand inmates had crimes against the person (31% had crimes against the person only and 16% had crimes against the person and other types of offences).

Federal inmates had a larger number of current offences in comparison to provincial/territorial inmates (Table 5). Almost one-third of federal inmates (31%) were currently incarcerated with five or more offences compared to 22% of provincial/territorial inmates 10. In contrast, one-third of provincial/territorial inmates (33%) had only one offence for which they were currently incarcerated (compared to 26% of federal).

Table 4

# Nature of Current Offences1 by Legal Status

| Jurisdiction           | Total Only<br># of Against<br>Inmates <sup>2</sup> Person |       | gainst  | Against<br>Person &<br>"Other" <sup>3</sup> |         |        | Only<br>"Other"<br>Offence <sup>3</sup> |  |
|------------------------|---|-------|---------|---|---------|--------|---|--|
| Provinces/Territories  | #   | #     | percent | #   | percent | #      | percent                                 |  |
| Sentenced <sup>4</sup> | 16,121  | 3,207 | 20      | 2.261                                       | 14      | 10,653 | 66                                      |  |
| Remand                 | 5,372   | 1,691 | 31      | 860   | 16      | 2,821  | 53                                      |  |
| Subtotal               | 21,493  | 4,898 | 23      | 3,121                                       | 15      | 13,474 | 63                                      |  |
| CSC                    | 13,829  | 4,346 | 31      | 6,415                                       | 46      | 3,068  | 22                                      |  |
| TOTAL                  | 35,322  | 9,244 | 26      | 9,536                                       | 27      | 16,542 | 47                                      |  |

Analysis of up to five of the most serious offences for which an inmate was incarcerated

Ontario provided data on the most serious offence only and is excluded from this calculation.

<sup>&</sup>lt;sup>2</sup> Missing data for 2,186 provincial/territorial inmates (9%) and 33 CSC inmates (<1%).

<sup>3 &</sup>quot;Other" Offence = crimes against property, other Criminal Code violations, and other offences not against the person.

<sup>&</sup>quot;Sentenced" includes regular, intermittent and inmates on "other" legal status.

Table 5

#### **Number of Current Offences**

|                                    | Total           |       | Number of Offences |       |         |       |         |       |         |       |         |
|------------------------------------|-----------------|-------|--------------------|-------|---------|-------|---------|-------|---------|-------|---------|
|                                    | # of Inmates1 # | 0     | One Two            |       | wo      | Three |         | Four  |         | Five+ |         |
|                                    |                 | #     | percent            | #     | percent | #     | percent | #     | percent | #     | percent |
| Provinces/Territories <sup>2</sup> | 14,262          | 4,712 | 33                 | 2,804 | 20      | 1,975 | 14      | 1,644 | 12      | 3,127 | 22      |
| CSC                                | 13,829          | 3,650 | 26                 | 2,595 | 19      | 1,916 | 14      | 1,453 | 11      | 4,215 | 31      |
| TOTAL                              | 28,091          | 8,362 | 30                 | 5,399 | 19      | 3,891 | 14      | 3,097 | 11      | 7.342 | 26      |

Missing data for 9,417 provincial/territorial inmates (49% - 8,416 inmates from Ontario are excluded as only the most serious offence was reported; and 1,001 other inmates with unknown offence information).

Also missing data for 33 CSC inmates (<1%).

#### Females are less likely than males to be incarcerated for crimes against the person

As mentioned earlier, the majority of inmates in both federal and provincial/territorial facilities are male. Males and females differ in the offences for which they are currently incarcerated (Table 6). In federal facilities, while the majority of males (74%) were currently incarcerated for a crime committed against the person, this was the case for 64% of female inmates. Among provincial/territorial inmates, 34% of males and 28% of females were currently incarcerated for crimes against the person.

In federal facilities, the largest proportions of both males and females were incarcerated for homicide/attempt murder (24% and 37%, respectively). The next most common offence was drug offences for female inmates (27%) and robbery for males (24%). Among provincial/territorial inmates, the largest percentage of males were incarcerated for break and enter (19%), and the largest percentage of females were incarcerated for theft and "other" *Criminal Code* and federal statute offences (13% each).

# While the differences are not large, Aboriginal inmates are somewhat more likely than non-Aboriginal inmates to be incarcerated for crimes against the person

Only minor differences were evident in the offence characteristics reported for Aboriginal and non-Aboriginal inmates (Table 7). Among both federal and provincial/territorial inmates, slightly more Aboriginal than non-Aboriginal inmates were incarcerated for a crime against the person (79% versus 72% within federal, 40% versus 32% within provincial/territorial). For federal inmates, the difference is primarily due to a larger proportion of Aboriginal than non-Aboriginal inmates with sexual assault (20% versus 12%) and serious assault (10% versus 3%) offences. For provincial/territorial inmates, this difference is primarily due to a larger proportion of Aboriginal than non-Aboriginal inmates with serious assault offences (12% versus 5%).

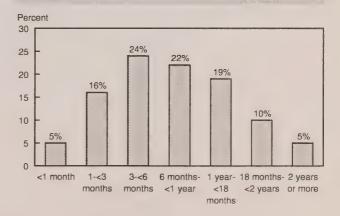
# Sentence Length

Two-thirds of sentenced provincial/territorial inmates were serving terms of 1 year or less, while one-half of federal inmates were serving terms of less than six years

Figure 7 presents a breakdown of the total aggregate sentence lengths for sentenced inmates in the provinces/ territories. On Snapshot day, 45% of sentenced provincial/ territorial inmates were serving terms of less than six months. An additional 22% were serving terms of between 6 months and less than one year, 29% were serving terms of 1 year and less than 2 years, and 5% were serving terms of two years or more<sup>11</sup>.

An offender can be convicted of multiple charges in a single court disposition, or in several court dispositions. In such cases, the judge may order that the various prison sentences be served either consecutively to (following) or concurrently with (at the same time as) one another. The "aggregate sentence" is the sum of all sentences that the offender must serve.

Aggregate sentence length distribution for inmates in provincial/territorial adult correctional facilities



Includes all inmates (sentenced, intermittent, remand and other).

Inmates in provincial/territorial custody serving terms of two years or more may be federal inmates who are awaiting transfer to a federal facility or inmates being held under an Exchange of Service Agreement.



Table 6

# Distribution of Offence Types by Gender<sup>1</sup>

|   | # of                 |                                |                      | Crimes Agai                | inst the Person               |                      |                  |                |  |  |  |
|---|----------------------|--------------------------------|----------------------|----------------------------|-------------------------------|----------------------|------------------|----------------|--|--|--|
|   | Inmates <sup>2</sup> | Homicide/<br>Attempt<br>Murder | Sexual<br>Assault    | Serious<br>Assault         | Minor<br>Assault              | Robbery              | Other<br>Violent | TOTAL          |  |  |  |
| Provinces/Territories                   |                      |                                |                      | pe                         | rcent                         |                      |                  |                |  |  |  |
| Male<br>Female                          | 20,043<br>1,453      | 3<br>5                         | 7<br>2               | 6<br>6                     | 5<br>3                        | 9<br>9               | 3<br>2           | 34<br>28       |  |  |  |
| CSC<br>Male<br>Female                   | 13,619<br>210        | 24<br>37                       | 14<br>1              | 4<br>10                    | -                             | 24<br>13             | 7                | 74<br>64       |  |  |  |
| Total Male<br>Total Female              | 33,662<br>1,663      | 12<br>9                        | 10 2                 | 5<br>7                     | 3<br>3                        | 15<br>10             | 4 2              | 50<br>33       |  |  |  |
|   | # of                 |                                | Property Crimes      |                            |                               |                      |                  |                |  |  |  |
|   | Inmates <sup>2</sup> | B&E                            | Theft                | Fra                        | aud                           | Other Property       |                  | TOTAL          |  |  |  |
|   |                      |                                |                      | pe                         | rcent                         |                      |                  |                |  |  |  |
| Provinces/Territories<br>Male<br>Female | 20,043<br>1,453      | 19<br>8                        | 8<br>13              |                            | 4                             | 6                    |                  | 37<br>37       |  |  |  |
| CSC<br>Male<br>Fémale                   | 13,619<br>210        | 12                             | 1                    |                            | -<br>1                        | 2 2                  |                  | 15             |  |  |  |
| Total Male<br>Total Female              | 33,662<br>1,663      | 16<br>7                        | 5<br>12              |                            | 2 .                           | 4<br>5               |                  | 28<br>34       |  |  |  |
|   | # of                 |                                |                      | Other <i>Criminal Code</i> | ( <i>CC</i> )/Federal Statute | es                   |                  |                |  |  |  |
|   | Inmates <sup>2</sup> | Weapons<br>Offences            | Admin. of<br>Justice | Impaired<br>Offences       | Drug<br>Offences              | Oth<br><i>CC</i> /Fe |                  | TOTAL          |  |  |  |
|   |                      |                                |                      | per                        | rcent                         |                      |                  |                |  |  |  |
| Provinces/Territories<br>Male<br>Female | 20,043<br>1,453      | 3 2                            | 4 4                  | 6                          | 6 9                           | 1                    | 1                | 30<br>34       |  |  |  |
| CSC<br>Male<br>Female                   | 13,619<br>210        | :                              |                      | 1                          | 8<br>27                       |                      | 2                | 11<br>29       |  |  |  |
| Total Male<br>Total Female              | 33,662<br>1,663      | 2 2                            | 2 4                  | 4 4                        | 6<br>12                       |                      | 8 2              | 29<br>22<br>34 |  |  |  |

<sup>-</sup> nil or zero.

Only the most serious offence (MSO) is recorded.

Missing data for 2,183 provincial/territorial inmates (9%) and 33 CSC inmates (<1%).

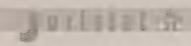


Table 7

# Distribution of Offence Types by Aboriginal Status<sup>1</sup>

|   | # of                 |                                |                      |                      |                             |                       |                  |          |  |  |
|---|----------------------|--------------------------------|----------------------|----------------------|-----------------------------|-----------------------|------------------|----------|--|--|
|   | Inmates <sup>2</sup> | Homicide/<br>Attempt<br>Murder | Sexual<br>Assault    | Serious<br>Assault   | Minor<br>Assault            | Robbery               | Other<br>Violent | TOTAL    |  |  |
| Barata Granita i                                |                      |                                |                      |                      | percent                     |                       |                  |          |  |  |
| Provinces/Territories Aboriginal Non-Aboriginal | 3,941<br>17,406      | 3<br>4                         | 8<br>6               | 12<br>5              | 7<br>5                      | 8<br>9                | 2 3              | 40<br>32 |  |  |
| CSC<br>Aboriginal<br>Non-Aboriginal             | 1,964<br>11,865      | 23<br>24                       | 20<br>12             | 10<br>3              |                             | 21<br>25              | 4<br>8           | 79<br>72 |  |  |
| Total Aboriginal<br>Total Non-Aboriginal        | 5,905<br>29,271      | 10<br>12                       | 12<br>9              | 11<br>4              | 5<br>3                      | 12<br>16              | 3<br>5           | 53<br>48 |  |  |
|   | # of                 |                                | Property Crimes      |                      |                             |                       |                  |          |  |  |
|   | Inmates <sup>2</sup> | B&E                            | Theft                |                      | Fraud                       | Other Property        |                  | TOTAL    |  |  |
|   |                      |                                |                      |                      | percent                     |                       |                  |          |  |  |
| Provinces/Territories Aboriginal Non-Aboriginal | 3,941<br>17,406      | 18<br>18                       | 8 8                  |                      | 2 5                         | . 7                   |                  | 35<br>37 |  |  |
| CSC<br>Aboriginal<br>Non-Aboriginal             | 1,964<br>11,865      | 13<br>12                       | 1                    |                      |                             | 2 2                   |                  | 16<br>15 |  |  |
| Total Aboriginal<br>Total Non-Aboriginal        | 5,905<br>29,271      | 16<br>16                       | 6<br>5               |                      | 2<br>3                      | 5<br>4                |                  | 28<br>28 |  |  |
|   | # of                 |                                |                      | Other Criminal Co    | ode ( <i>CC</i> )/Federal S | tatutes               |                  |          |  |  |
|   | Inmates <sup>2</sup> | Weapons<br>Offences            | Admin. of<br>Justice | Impaired<br>Offences |                             | Orug<br>nces <i>C</i> | Other<br>C/Fed.  | TOTAL    |  |  |
|   | <del></del>          |                                |                      |                      | percent                     |                       |                  |          |  |  |
| Provinces/Territories Aboriginal Non-Aboriginal | 3,941<br>17,406      | 2 3                            | 4 4                  | 6                    |                             | 6                     | 7<br>12          | 26<br>31 |  |  |
| CSC Aboriginal Non-Aboriginal                   | 1,964<br>11,865      | -                              | -                    | 1                    |                             | 2                     | 1 3              | 5<br>13  |  |  |
| Total Aboriginal<br>Total Non-Aboriginal        | 5,905<br>29,271      | 2 2                            | 3<br>2               | 5<br>4               |                             | 5<br>7                | 5                | 19<br>24 |  |  |

<sup>-</sup> nil or zero.

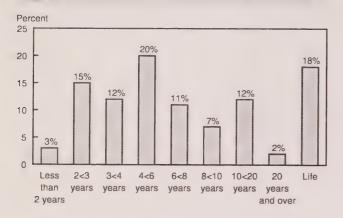
† Only the most serious offence (MSO) is recorded.

† Data were missing for 2,332 provincial/territorial inmates (10%) and 33 CSC inmates (<1%).

One-half of federal inmates on-register on Snapshot day (50%) were serving sentences of less than six years (Figure 8). Almost one-third (30%) were serving sentences of between six and 20 years, and 2% were serving sentences of a fixed length of 20 years or more. An additional 18% of federal inmates were serving life sentences.

Figure 8

# Aggregate sentence length distribution for inmates in CSC correctional facilities



# **RISK AND NEED PROFILES**

A unique aspect of the Snapshot survey was the opportunity to collect a fairly comprehensive set of criminal history and need indicators for the inmate populations for the following seven jurisdictions: Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, Manitoba, Yukon, and the Northwest Territories<sup>12</sup>. As risk/needs assessments are only completed on regularly sentenced inmates (i.e., intermittent and remand inmates are excluded) who are serving a period of incarceration of more than thirty days, the total population on which risk/need indicators could be derived for comparative purposes is relatively small. This small sample, nevertheless, provides some insight as to the potential for the examination of inmate risk profiles based on an individual's criminal history and identified need areas. In addition, although not included in the risk profile, needs data were collected for CSC that allowed a comparison of needs between some provincial/ territorial inmates and federal inmates.

In the corrections community, "risk" typically refers to the probability that an offender will engage in criminal behaviour in the future. Discussions of risk are concerned with recidivism - assessing the probability that criminal activity will occur following release from custody or during or after a period of supervision. The most well established methods for assessing level of risk for offenders rely on a combination of criminal history indicators (e.g., previous convictions, prior failure on supervision) and "need" factors (e.g., substance abuse problems, employment instability). Criminal history indicators are described as "static" or "fixed" since criminal history does not change. Need factors are described as "dynamic" because the level and nature of needs can change and problems can improve or worsen. Often, need factors are referred to as criminogenic, implying that if not addressed, these needs can contribute to, or propel, further criminal activity. When static criminal history factors are combined with assessment of key areas of need, it is possible to arrive at a relatively accurate and balanced determination of overall "risk".

What is being assessed by this notion of risk is only the probability that offending will reoccur. In this sense, "risk", as a correctional construct cannot be confused with risk as a broader criminal justice policy concept, in which risk has to address both the risk of recidivism and the severity or seriousness of offending. In correctional assessments of risk, the question is simplified to "who will be most likely to re-offend if no intervention occurs?"

Risk analysis is one guidepost for informing correctional administrators as to how they can best focus their efforts. It points to which offenders may need the greatest level of support, intervention, or supervision in order to reduce the chances of re-offending. Alternatively, risk data provide important information for selecting candidates who may require less attention from the system. Risk analyses, when properly conducted, may be a way to control the size of inmate populations by using early release programs for low risk candidates. Clearly, risk analysis has to be integrated with other information about offence history and the personal circumstances of the offender. However, risk analysis provides a useful and well-validated starting point for making important decisions about the management of offender populations.

The methodology for determining level of risk in the Snapshot survey was based on methods employed by Ontario Correctional Services and CSC. Risk/needs assessments are only completed on regularly sentenced inmates (excludes intermittent and remand inmates) who are serving a period of incarceration of more than 30 days. An overall index of risk combined information regarding the extent of criminal history with ratings on seven need dimensions. The criminal history factors examined included number of previous convictions, previous incarcerations, number of current offences, negative outcome on community supervision, and history of escape from custody. To form risk groupings, the index assigned cases to levels using the distribution for the province of Ontario, which has been

widely validated and used for a number of years (Level of Service Inventory – Ontario Revision for assessment of risk; LSI-OR).

In this study, provincial/territorial inmates for whom information was available were classified according to five levels of risk: very low; low; medium; high; and very high. Overall, only a small proportion of inmates (3%) were classified as very low risk while a larger proportion were classified as very high risk (14%). The medium (34%) and high-risk (35%) groups represented the largest proportions of the provincial/territorial inmate population classified. For comparative purposes, the two lowest risk categories and the two highest risk categories were combined in order to provide a simpler three-level risk classification.

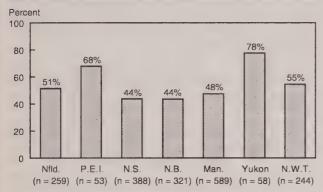
Data were collected for Ontario; however, they were not included in the analyses because data comparable with other jurisdictions were not collected in all categories.

#### With a few exceptions, there are only minor variations in the risk levels of inmates across the provinces/territories

Figure 9 shows the distribution of high-risk offenders for the seven jurisdictions for which comparable data were available. Overall, nearly 5 in 10 (49%) of the provincial/territorial sentenced inmates were classified as high-risk to re-offend. Yukon and Prince Edward Island reported the highest proportions of inmates classified as "high" risk (78% and 68%, respectively). In the other jurisdictions, lower percentages of inmates were classified as high risk (between 44% and 55%). In all jurisdictions, the smallest proportions of inmates were classified in the low risk groupings.

Figure 9

# % of inmates classified high risk in selected provincial/territorial jurisdictions



n = total number of inmates (of all risk categories) classified by jurisdiction.

# Higher-risk offenders showed a greater number of indicators for future criminal activity

Table 8 provides a profile of how low-, medium-, and highrisk inmates vary when criminal history, current offence, and demographic factors are examined. This profile is based on the criminal history and need indicators for the inmate populations of the seven jurisdictions for which comparable data were available. Although this does not provide a comprehensive profile of risk and need levels for all inmates in Canada, it does, nevertheless, provide a good base from which the criminogenic needs of the offender and the risk for re-offending can be examined. This information can also be used to help assess the meaningfulness or validity of the risk/needs classification methods used.

Generally, high-risk inmates had more extensive criminal histories, less education, less employment stability, were equally likely to be single as the medium-risk offenders but more likely than those offenders classified as low risk, and were younger than inmates in the medium- and low-risk groups. In short, higher-risk offenders showed a greater number of markers or precursors of potential future criminal activity. Of particular interest in examining the profile of the high-risk group was the fact that almost all (96%) had prior convictions, and a prior term of provincial/territorial incarceration (89%). While the data for the high-risk group suggest that they are a priority for programming, the risk profile of the medium group also deserves attention. Their characteristics suggest that they require considerable targeted intervention in order to reduce their risk of future criminal behaviour. The vast majority of this group of inmates (80%) had at least one prior conviction and nearly two-thirds (64%) had some prior provincial/territorial incarceration. It is interesting to note that the proportion of crimes against the person did not vary significantly across risk levels (low - 31%, medium - 29%, high - 29%). This is not surprising since the concept of risk, as measured by the assessment tool, refers to those at risk of re-offending, not necessarily the seriousness of re-offending. Although Ontario was not included in the table because comparable data were not available for all categories of analysis, the data did show similar results in those categories for which data were available.

Table 8

# Differences among Inmates by Risk Level - Selected Jurisdictions<sup>1,2</sup>

| Inmate Characteristics   |      | Risk Level |      |
|--|------|------------|------|
| Inmate Gnaracteristics   | Low  | Medium     | High |
| Prior Conviction Prior Provincial/Territorial Incarceration Prior Federal Incarceration Prior Failure on Community Supervision | 52%  | 80%        | 96%  |
|  | 28%  | 64%        | 89%  |
|  | 3%   | 7%         | 19%  |
|  | 4%   | 23%        | 47%  |
| Median Current Sentence Length (in days) MSO = Crime Against the Person  | 184  | 215        | 304  |
|  | 31%  | 29%        | 29%  |
| Mean Age (in years) Grade 9 or Less Single Unemployed  | 33.1 | 30.3       | 30.1 |
|  | 36%  | 38%        | 48%  |
|  | 47%  | 58%        | 58%  |
|  | 47%  | 62%        | 81%  |

Based on data for Nfld, PEI, NS, NB, Manitoba, Yukon, NWT (n= 1,912).

Risk assessments are only completed on sentenced inmates serving terms of more than 30 days (excludes intermittent sentences and remands).

# Federal inmates have a greater number and level of needs than provincial/territorial inmates

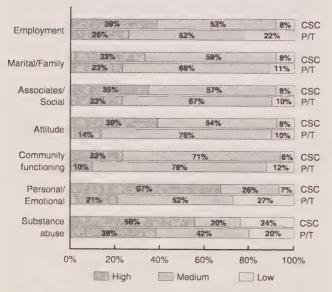
While discussions of risk of criminal recidivism provide important information about the types of inmates who may need greater programming attention, examination of criminogenic needs provides information about the types of interventions that may be required to reduce risk. The Snapshot data also provided an opportunity to compare the need distributions for federal and selected provincial/territorial inmate populations<sup>13</sup>. Figure 10 shows the proportion of inmates scoring in the high, medium or low ranges on the seven criminogenic need dimensions included in the Snapshot.

There was considerable variation in the need profiles for federal and provincial/territorial inmates. As expected, federal inmates showed substantially higher levels of needs than the average for provincial/territorial inmates for all of the need dimensions. The difference was particularly evident for the personal/emotional (67% for federal versus 21% for provinces/territories) and attitude (39% versus 14%) dimensions. Although substance abuse was the highest need area identified within the provincial/territorial inmate group, it was higher for federal inmates (38% for provincial/territorial and 56% for federal).

Figure 10

# Distribution of assessed needs for selected jurisdictions<sup>1</sup>

CSC (n = 12,124) P/T - Provinces/Territories (n = 2,264)



<sup>&</sup>lt;sup>1</sup> Includes data for CSC, Nfld., P.E.I., N.S., N.B., Manitoba, Yukon and N.W.T.

# **METHODOLOGY**

The One-Day Snapshot was conducted on Saturday, October 5th, 1996. A Saturday was chosen in order to include inmates serving intermittent sentences. Information for the Snapshot survey was collected manually in Newfoundland, Prince Edward Island, New Brunswick, Manitoba, Yukon, and the Northwest Territories. Extracts from automated information systems were used for Quebec, Ontario, Saskatchewan. Alberta, British Columbia, and Correctional Service Canada. A mixture of manual data collection and extractions were used for Nova Scotia. In light of resource limitations at local levels, data for the risk and needs assessment components of the survey could not be produced for Quebec, Saskatchewan, Alberta, and British Columbia. Further, although data were collected for Ontario, they were not included in the analyses because data comparable with other jurisdictions were not collected in all categories. Need data were available for CSC inmates. However, there was an insufficient number of cases for which criminal history data were available to permit scoring of a combined risk/needs score.

For the section on current offences, detailed information was collected for up to five of the "most serious offences" for which the inmate was currently incarcerated. Most analyses are on the "most serious offence", which is based on the Seriousness Index of the Revised Uniform Crime Reporting (UCR) Survey Violation Coding Structure. The UCR coding structure defines seriousness in terms of length of maximum sentence and the degree of injury or threat to the victim represented by the offence. In addition, some analyses examine all five offences. Offences were also grouped into the following major offence categories, based on UCR categories: Crimes Against the Person (including homicide/ attempt murder, sexual assault, serious assault, minor assault, robbery, and other violent); Property Offences (including break and enter, theft, fraud, and other property); and, Other Criminal Code and federal statute offences (including weapons offences, administration of justice offences, impaired offences, drug offences, and other Criminal Code / federal statute offences).

Data were available for Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, Manitoba, Yukon, the Northwest Territories and the CSC. Ontario is not included because the rating method used to derive need levels was not compatible with the rating method employed by CSC and the other jurisdictions.

# 

# **Canadian Centre for Justice Statistics**

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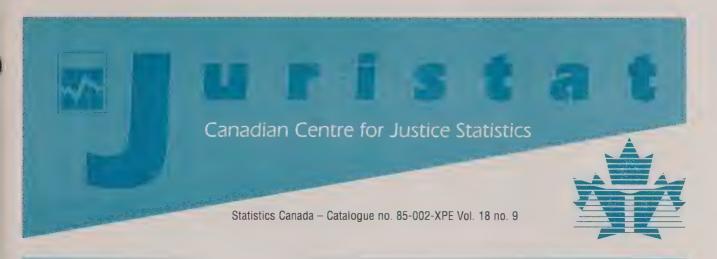
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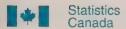


# **VIOLENCE COMMITTED BY STRANGERS**

by Derek E. Janhevich

### HIGHLIGHTS

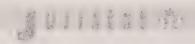
- Recent victimization surveys indicate that the levels of fear among Canadians have increased slightly, despite downward trends in police-reported crime, and despite low levels of violence perpetrated by strangers.
- In 1996, approximately one-third (34%) of all victims of police-reported violent crime were victimized by a stranger. Most violent crimes (60%) involved a perpetrator known to the victim.
- Robbery is the only violent offence that is typically committed by strangers. In 1996, over eight in tenrobberies (83%) were committed by strangers.
- Overall, violence committed by strangers is less likely than other types of violence to result in physical injury (41% for strangers compared to 52% for non-strangers).
- Cases of stranger violence are more likely to involve the presence of a weapon. In 1996, weapons were present in 39% of violent crimes where a stranger was involved and 28% of cases where the accused knew the victim. In addition, 12% of all cases involving strangers had a firearm present compared with only 1% for other types of violent crime.
- Police-reported data indicate that males aged 15 to 24 (24%) made up the largest proportion of those victimized by strangers. Men between the ages of 25 and 34 presented the next largest group (17%), followed by young women between the ages of 15 and 24 (11%).
- Male against female violence was the most common type of overall violence, but the least likely to involve strangers. In the large majority of these cases (87%), assailants knew their victim(s), and almost one-half (46%) were spouses. The type of incident most likely to involve strangers was male on male violence. Approximately four in ten (39%) of these cases involved strangers.
- Like most violent crimes, homicides are more likely to be committed by someone known to the victim than by a stranger. In 1996, only 14% of homicide victims were killed by a stranger.



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June 1998 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

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## INTRODUCTION

Police-reported statistics indicate that crime rates in Canada decreased for the fifth consecutive year in 1996. Similar trends have been noted in England/Wales and the United States. Results from victimization surveys confirm this recent trend, yet despite this decrease in crime, many Canadians remain fearful of being victimized.

What is the source of this fear; who is more likely to be a victim of violent crime; who is the typical perpetrator; and where is the victimization likely to take place? Generally speaking, questions like these are designed to assess concerns about threats of violence by strangers. But what is the nature of violent incidents involving strangers and what are the characteristics of those strangers? The answers to these questions are examined below. The purpose of this *Juristat* is to examine the profile of perpetrators and victims of violent crime by comparing characteristics of crimes committed by strangers to those involving offenders known to the victim. This will contribute to discussions about the nature of violent crime and about related concerns that are at the centre of current debates.

#### Box 1 - Definitions and concepts

#### What is an accused / victim?

Accused – An accused is a person who has been identified as an offender in an incident and against whom a charge has been laid or could be laid in connection with that incident.

Victim - A victim is a person who is the target of a violent/aggressive action or threat.

What relationships exist between victims and accused?

Stranger - The accused is not known to the victim in any way.

Non-Stranger - The accused is known to the victim in one of the ways described below:

**Acquaintance** — The accused is a casual or business acquaintance of the victim. This encompasses a social relationship which is neither long term nor close, and includes persons known by sight only. Examples could include neighbours, classmates, fellow workers, business partners, employee-employer, as well as non-commercial relationships (e.g. student-teacher, physician-patient).

**Close Friend** – The accused is a long-term and/or close (or intimate) friend to the victim. For example, boyfriends, girlfriends, ex-friends, or any intimate or ex-intimate partners are classified as close friends.

**Spouse/Ex-spouse** – The accused is the husband or wife of the victim through marriage or common-law, **or** the accused is the former husband or wife (through marriage or common-law) of the victim and at the time of the incident they are separated or divorced.

Other Family – The accused and victim are related, but not through marriage or common law agreement. Other family members include parents, children, other immediate family members (e.g. siblings) or extended family members (e.g. uncles/aunts, cousins, etc.).

**Unknown** – The identity of the accused is not known or the relationship could not be established. For example, if there is a homicide, the identity of the accused may not be known.

**N.B.** For the purposes of this *Juristat*, the terms **stranger** and **non-stranger** are used *only* to describe the relationship of the accused to the victim. The discussion does not refer in a general way to all strangers and non-strangers.

#### What is a violent crime?

In this *Juristat*, the Uniform Crime Reporting (UCR) violent crime categories include: homicide, attempted murder, sexual assault (levels 1 to 3), assault (levels 1 to 3), abduction/kidnapping, robbery, and other violent offences (e.g. assault against public/peace officer and criminal harassment).

The analysis in this report will focus mainly on information gathered from the Revised Uniform Crime Reporting Survey (UCR II). In 1996, 154 police agencies responded to the UCR II, representing 47% of the national volume of reported crime. These 154 departments represent a non-random sample and as a result are not nationally representative. In addition, information will be presented from the Aggregate UCR

Survey, the 1993 General Social Survey (GSS), the 1993 Violence Against Women Survey (VAWS), the 1996 International Crime Victimization Survey, and the Homicide Survey. Please refer to the Methodology section for a more detailed discussion on these data sources.

# PEOPLE FEARFUL DESPITE DECREASES IN VIOLENT CRIME

Violent crime continues to account for a small proportion of *Criminal Code* offences – 11% of all incidents in 1996. The violent crime rate per 100,000 population declined by 2% in 1996, marking the fourth consecutive annual decrease. Prior to this downward trend, the violent crime rate increased for 15 consecutive years. This increase was due primarily to large increases in common (level 1) assaults, the least serious of all assaults. Level 1 assaults accounted for approximately 60% of all violent crimes in 1996. The violent crime rate per 100,000 population was 24% higher than a decade ago, however the increase for all other violent crimes excluding common assaults, was only 7%.1

that the chances of a break-in within the coming year were "likely" or "very likely," down slightly from the 1992 survey (34%).

A 1997 Angus Reid poll entitled "Crime and the Justice System" found that most Canadians believe crime is increasing, and this concern was especially high in western Canada. When asked whether they thought crime in their community had increased, decreased or remained stable over the past five years, 59% of adult Canadians thought that crime had increased. This proportion was down from 68% in 1994, but was consistent with 1990 perceptions (57%). When asked to what extent they feared being a victim of crime in their community, 21% of the population expressed "a great deal" (5%) or "a fair amount of fear" (16%). This proportion is consistent with the 19% which gave the same response in 1990.3

The same Angus Reid poll indicated that persons aged 55 and over were more likely than persons in younger age groups to feel that crime levels had increased.

#### Box 2 - Fear of crime

The term "fear" usually denotes an emotional response to some immediate threat. However in social science research, access to measure this immediate threat in a fear-provoking situation is not possible. As a result, in victimization surveys that address the notion of fear, it is understood as a perception or an attitude rather than an emotional reaction. Survey respondents are asked about anticipated fear they have faced or could hypothetically face (Sacco, 1995).

In recent years, both the overall crime rate and the violent crime rate have been declining. However, fear of crime (as measured by victimization surveys) remains unchanged or, according to some surveys, (such as the International Crime Victimization Survey) it has increased. Why have the levels of fear remained the same or even increased when police-reported crime rates have been decreasing in recent years? This is a complex question. In part, public fear of crime is a misnomer (Sacco, 1995). Victimization surveys reveal that most Canadians generally feel safe, however for certain segments of the population, fear is a significant issue.

Two main socio-demographic characteristics which have been linked to fear are gender and age. Most research notes that fear is higher for women and the elderly, compared to men and younger segments of the population (Fattah and Sacco, 1989). These heightened levels of fear are arguably rooted in numerous factors such as women's concern about sexual violence, a lower sense of physical strength in comparison to the average offender, gender socialization during childhood rearing, the elderly's lack of physical vigour, as well as their lack of social and family support (Sacco, 1995)

Anxieties and fears about crime may also be more pronounced for those who have been victims of crime or for those who live in areas which they perceive to have high crime rates (Sacco, 1995). According to American

criminologist Wesley Skogan (1990), fear of crime can be fostered by disorder or signs of incivility in local communities that can cause people to feel uneasy, even as crime rates stabilize or decline. Residents who witness the continuing presence of such problems as public drunkenness, prostitution, graffiti, vandalism, loitering, sexual harassment, or abandoned or ill-kept buildings, may feel that they and the police have lost control over the neighbourhood. Some groups, such as inner-city dwellers, are more likely to be exposed to these signs of disorder which results in heightened levels of anxiety and fear.

Findings from the 1993 GSS support some of the above hypotheses on fear of crime. Women, victims of particular types of crime, and those who perceive their neighbourhoods as being conducive for criminal activity to flourish, all appear to be more anxious about the threat of crime. The data did not support the notion that higher levels of fear exist among the elderly. It is possible that some of the questions that relate to fear were not pertinent for older persons. For instance, one way that the GSS measures fear is by asking how safe one feels when walking alone at night. Research indicates that this type of activity is not one that most elderly people would engage in. However, when seniors were asked questions that were more pertinent to their daily activities (i.e. being home alone in the evening or assessing their general safety over crime), there is no strong evidence to support that aging leads to greater fear of crime (Sacco, 1995). In fact, in the 1993 VAWS, which allowed women who never engage in an activity to be excluded from the analysis, the percentage who felt worried about their safety declined with age. What's more, elderly women were more likely to opt out of certain activities, but no more likely to say the reason was fear.

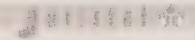
In general, fear of crime appears to be the result of gender, direct experiences, social circumstances, and the environment to which one is exposed.

Despite the recent decreases in reported violent crime, a consistent proportion of Canadians remain fearful. Findings from the 1996 International Crime Victimization Survey (ICVS) indicate that 26% of Canadians reported feeling "a bit unsafe" or "very unsafe" when walking alone in their area after dark. This proportion was up from 1992, when 20% expressed the same feelings.<sup>2</sup> However, three in ten (30%) Canadians felt

For more information regarding violent crime refer to Johnson, Holly, "Violent Crime in Canada", Juristat (Catalogue 85-002 XPE vol. 16, no.6), or Kong, Rebecca, "Canadian Crime Statistics, 1996", Juristat (Catalogue 85-002XPE, Vol. 17, no.8).

For a more detailed examination of the ICVS and criminal victimization, refer to Besserer, Sandra, "Criminal Victimization: An International Perspective", Juristat (Catalogue 85-002-XPE, Vol. 18, no. 6).

<sup>&</sup>lt;sup>3</sup> Results are from the survey conducted between May 28 and June 2, 1997, in which 1,516 Canadian adults were surveyed. The margin of error is ± 2.5 % points, with 95% confidence. The data are representative of the population's age, sex, and regional characteristics according to 1996 census.



# CHARACTERISTICS OF VIOLENT CRIME BY STRANGERS

Two basic sources of statistical information are available to examine the characteristics of violent incidents, violent offenders and their victims: data reported to police and data captured on crime victimization surveys. Both have strengths and weaknesses (Box 3).

#### Most violent crimes not committed by strangers

Victims of violent crime usually know the offenders. In 1996, 60% of violent crime victims knew the perpetrator while for 34% of victims, the accused was a stranger (Table 1). In 6% of cases, the identity of the accused or the relationship of the

accused to the victim was unknown. The picture for most individual offences was similar. Robbery was an exception.

#### Most robberies committed by strangers

In contrast to other violent offences, robbery stands out as one offence in which a majority of offenders are strangers. In fact, if robberies are excluded from the violent crime total, the proportion of persons victimized by a stranger drops from 34% to 26%. In 1996, over eight in ten robbery victims (83%) did not know the perpetrator.

Findings from victimization surveys demonstrate similar results. According to the 1993 GSS, the majority of robberies (67%) were committed by strangers.

Table 1

### Type of Offence by Accused-Victim Relationship, 1996

|   | Total V   | Total Victims  |  | Relationship of Accused to Victim                 |   |   | Non-Stranger                       |   |  |  |
|---|---|--|--|---|---|---|------------------------------------|---|--|--|
| Offence   | Total<br>Number   | Percent <sup>1</sup>   | Stranger   | Total Non-<br>Stranger                            | Unknown <sup>2</sup>                        | Acquaintance  | Close Friend                       | Spouse /<br>Ex-spouse                           | Other Family                             |  |
|   |   | %  | %  | %   | %   | %   | %                                  | %   | %  |  |
| Totál <sup>3</sup>  | 130,051   | 100  | 34   | 60  | 6   | 28  | 6                                  | 17  | 9  |  |
| Total (excl. robbery)   | 109,948   | 100  | 26   | 69  | 5   | 31  | 7                                  | 20  | 11                                       |  |
| Homicide <sup>4</sup> Attempted Murder Sexual Assault - level 3 Sexual Assault - level 2 Sexual Assault - level 1 Assault - level 3 Assault - level 2 Assault - level 1 Abduction/Kidnapping Robbery Other Violent <sup>5</sup> | 314<br>580<br>139<br>291<br>9,037<br>1,526<br>18,168<br>65,743<br>1,876<br>20,103<br>12,274 | 100<br>100<br>100<br>100<br>100<br>100<br>100<br>100<br>100<br>100 | 28<br>23<br>41<br>19<br>33<br>32<br>22<br>22<br>39<br>83<br>38 | 57<br>71<br>53<br>76<br>55<br>62<br>74<br>53<br>9 | 15<br>6<br>6<br>6<br>12<br>6<br>4<br>7<br>9 | 33<br>38<br>30<br>40<br>30<br>31<br>32<br>17<br>8<br>27 | 4<br>66<br>99<br>7<br>66<br>7<br>8 | 13<br>12<br>9<br>4<br>11<br>16<br>25<br>14<br>- | 7<br>14<br>5<br>22<br>7<br>9<br>10<br>15 |  |

- Totals may not add to 100 due to rounding
- Totals may not aud to 100 due to rounding.

  The identity of the accused is not known or the relationship cannot be established.
- I ne identity of the accused is
   Represents all victim records.
- The number of homicides is included in the total; however, figures for relationship are excluded, because the Homicide Survey provides more accurate information. For a more detailed examination of stranger homicide, refer to Table 7
  Includes the following categories: Criminal Harassment, Other Sexual Crimes, Unlawfully Causing Bodily Harm, Discharge Firearm with Intent, Assault Against Peace-Public Officer, Criminal Negligence Causing Bodily Harm, Other Assaults, and Other Vicional Vi
- .. Figures not appropriate or applicable.
- Amount less than one percent.

Source: UCR II: Non-random sample of 154 police agencies accounting for 47% of the national volume of crime. The data are not nationally representative.

# Box 3 – Differences between police-reported surveys and victimization surveys

Two main sources of data are available to describe/analyze patterns in crime and victimization. The first is police-reported statistics provided by the Uniform Crime Reporting (UCR) survey. The second, is information gathered by victimization surveys such as the one included in the General Social Survey (GSS), or the Violence Against Women Survey (VAWS). Both measure crime differently and may consequently produce different results. The results from both sources should be seen as complementary, as they measure crime from different perspectives. For the purposes of this *Juristat*, the results from the GSS and VAWS were used to contextualize information from the UCR surveys.

Uniform Crime Reporting data consist of only those incidents that become known to the police and are recorded by them as crimes. In order for this to happen, an incident must pass through a set of victim and police decisions. For instance, a crime must first be recognized by the victim, the police notified, and the offence entered into official police records. Uniform Crime Reporting data are thus subject to a degree of underestimation. This underestimate is commonly referred to as the "dark figure" of crime.

Victimization surveys were originally designed to measure this "dark figure," and also serve to examine crimes and perceptions (e.g. fear) about crime from the victim's perspective. By their very nature however, victimization surveys do not measure all types of crimes. Information on homicides or crimes

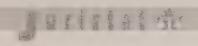
committed against children and establishments are not collected, and furthermore, information on "victimless" crimes (e.g. drug use, prostitution, gambling) and corporate or white-collar crime, is typically not collected.

Whereas the UCR (and revised UCR) is a **census** of all criminal offences reported to the police, victimization surveys collect information from a **sample** of individuals about their victimization experiences for certain types of crime.

Both surveys provide reliable and valid information about crime; however it is important to recognize that any type of survey is subject to limitations. Victimization surveys are subject to sampling errors as well as non-sampling errors related to the following: coverage, respondent error (e.g., recall error), non-response, coding, edit and imputation, and estimation. On the other hand, a principle advantage of victimization surveys is that the information gathered comes directly from those affected by crime. Personal experiences, associated socio-economic risk factors, and subsequent after-effects of crime are all variables that can be measured.

Police-reported data are subject to limitations and factors which could include: changes and biases in victim and police reporting behaviour, legislative changes, processing errors, as well as non-responding police departments. However, they have an advantage with respect to wider coverage, volume, and the ability to track trends over time.

Sources: Ogrodnik and Trainor, 1997; Gartner and Doob, 1997.



#### Box 4 - Multiple Offenders

Violent crimes can occur in a variety of ways. There can be a single perpetrator and a single victim; the incident can involve a single perpetrator and several victims; several offenders can attack a single person; or the crime can involve multiple perpetrators and multiple victims. In 1996, of those violent incidents where an accused was identified, eight in ten (81%) involved a single perpetrator.

In 1996, almost three-quarters (73%) of single accused cases involved an offender who was known to the victim. This compares to 60% for all

violent crimes. This difference implies that stranger violence is more common in instances where more than one accused is involved.

Robberies, more than any other violent crime, tend to be committed by multiple accused persons. One-half of all robberies were committed by multiple offenders in 1996.

Victimization surveys reveal similar patterns. Findings from the 1993 GSS indicate that 81% of all sexual assaults and assaults were committed by a single offender, whereas more than half (56%) of all robberies involved one accused person.

### Two in ten sexual assaults are committed by strangers

Two in ten sexual assault (level 1) victims (19%) were assaulted by strangers. Aggravated (level 2) sexual assaults had a much higher proportion of stranger involvement (41%) (Table 1).

Results from victimization surveys confirm this. According to the 1993 Violence Against Women Survey (VAWS) 23% of Canadian women have been sexually or physically assaulted and nearly two in ten (19%) have been sexually assaulted by a stranger in their adult lifetime (Box 5).

### Most violence by strangers does not occur in the home

According to the 1993 General Social Survey (GSS), one in four Canadians indicated that they were very or somewhat worried when alone in their homes in the evening or at night.

Why is it that people are afraid when alone at home? The answer is not a simple one and depends on a number of factors such as age, gender, lifestyle, geographic location of residence, personal experiences, previous victimization, and other variables.

The 1993 GSS found that women were much more fearful than men of being alone in their homes in the evening or at night. Overall, 37% of women were very or somewhat worried. This was three times higher than the figure for men (12%). The proportion was highest among women between the ages of 15 to 24 (42%). A consistent finding in this area of research is that women report higher levels of fear and concern for personal safety regardless of age, place of residence, victimization experience or other personal characteristics.

The GSS results also indicate that worry about safety when at home alone is most marked by those recently victimized by sexual assault, robbery, or break and enter (Sacco, 1995). Although previous victimization is one influential factor that induces fear, other sources of fear could stem from the media, personal observation and conversation (Wachs, 1988 as cited in Sacco, 1995).

Should people fear being attacked by strangers when in their homes? Police-reported crime statistics indicate that the most common location for a violent crime to occur is in the home (Figure 1). However, only a small number of incidents at home involve strangers (9%) (Table 2). Strangers are more likely to be implicated in incidents that take place at commercial/corporate places or outdoors.

#### Box 5 - Women's experience of violence by strangers

Statistics Canada's 1993 Violence Against Women Survey was a special focus survey undertaken to assess the nature and the extent of violence experienced by women in this country and their perceptions of their personal safety. A random sample of 12,300 women 18 years of age and over were questioned in detail about acts of physical and sexual assault that had occurred against them since the age of 16, including acts involving spouses, dates and boyfriends, other men known to them, and strangers.

Approximately one-half of all women reported experiencing at least one incident of physical or sexual violence since the age of 16 (table). The rate of violence by male strangers was equal to the rate of violence by known men who were not intimate partners. Overall, 45% of all women had been victims of violence by men known to them, about twice the percentage who had been assaulted by strangers.

| Relationship                  | Number<br>(in millions) | Percent<br>Adult<br>lifetime | Percent<br>past 12<br>months |
|-------------------------------|-------------------------|------------------------------|------------------------------|
| Total victimized women        | 5.38                    | 51²                          | 10                           |
| Stranger                      | 2.46                    | 23                           | 4                            |
| Spouse/ex-spouse <sup>3</sup> | 2.65                    | 29                           | 3                            |
| Date/boyfriend                | 1.72                    | 16                           | 2                            |
| Other known man               | 2.46                    | 23                           | 4                            |

Responses have been weighted to represent the total population of Canadian women.

With these responses weighted to represent all Canadian women, the number of women who reported an assault by a stranger was estimated to be 2.46 million. Assaults by known men, especially family members, have received a great deal of attention due to the violation of trust and devastating consequences these incidents produce. However, assaults by strangers can also have serious physical and emotional consequences. These attacks can be sudden and brutal, leaving the victim physically and psychologically traumatized, and leaving her feeling vulnerable, frightened and unable to protect herself from further danger.

For a more in-depth examination of stranger violence against women and a general discussion of victimization against women, refer to Johnson, Holly. *Dangerous Domains: Violence Against Women in Canada* (Toronto: Nelson Canada, 1996), and Strike, Carol. "Women Assaulted by Strangers," *Canadian Social Trends* no. 36, Spring 1995 (catalogue no. 11-008-E). Statistics Canada: Ottawa.

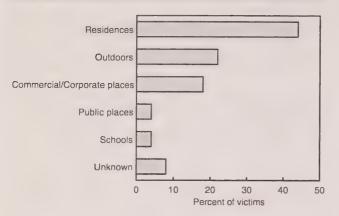
This figure was derived by combining responses of women who had been assaulted by a spouse or date or other known man. Many women may have been assaulted more than once; therefore, total is less than the sum of the extensions.

Figure was derived by combining responses of women who had been assaulted by a stranger or spouse or date or other known man. Many women may have been assaulted more than once; therefore, the total is less than the sum of the categories.

<sup>&</sup>lt;sup>3</sup> Rate is based on the number of women who have ever been married or lived with a man in a common-law relationship.

Figure 1

#### Location of violent crime, 1996



**Source:** UCR II: Non-random sample of 154 police agencies accounting for 47% of the national volume of crime. The data are not nationally representative.

Some people may also fear break and enters when home alone at night or in the evening. Home invasions (break and enters when someone is occupying a residence) make up a small proportion of all break and enters; however they may be a source of fear (Box 6).

#### Injuries less common with strangers

One way to assess whether stranger violence is more serious than other types of violence is to examine the nature of the offence including physical injury<sup>4</sup> and the presence of a weapon. The majority of violent crimes result in no apparent injury or in minor injuries (Figure 2) and strangers are less likely than known offenders to inflict physical injury on victims. In 1996, the proportion of incidents that resulted in injuries was 41% for incidents involving strangers and 52% for those

#### Box 6 - Violent break and enter and home invasions

Although residences are the most common location for violent incidents to occur, this is not usually the result of stranger attacks. Violent incidents at home are most frequently the result of domestic and family disputes. One type of crime that has spawned some level of fear amongst persons while at home is residential break and enter (B&E). By their very nature, break-ins are typically not violent, and usually occur when residences are vacant. The immediate concern of a burglar is whether a place is occupied or not, since most do not wish to confront anyone while at home (Greenberg, 1996; Waller and Okiniro, 1978). Furthermore, police-reported data suggest that B&Es involving violence are rare. In 1996, approximately 1% of total B&Es recorded by the revised UCR survey involved a violent offence of which the vast majority were assaults (72%).

Residential B&Es that involve violence and robberies that occur at a place of residence are broadly categorized as "home invasions." While no official definition exists, they are characterized by forced entry into a private residence while someone is at home and involve violence against the occupants. Although such events are relatively rare, they have recently been reported in some Canadian cities. In 1996, 2,471 home invasions were reported by the police. About half of these involved the robbery of those present in the home. Data from a sample of 61 police agencies that have been reporting consistently to the revised UCR survey since 1993 indicate that home invasions increased slightly between 1993 and 1994, but have been decreasing since.

Whether the incident is a home invasion or a B&E of an unoccupied residence, heightened levels of fear are an inevitable outcome since a violation of one's personal and private space has occurred.

For a more elaborate discussion of B&Es and home invasions, refer to Kong, Rebecca. "Breaking and Entering in Canada," *Juristat.* (Catalogue no. 85-002-XPE, vol. 18, no.5).

involving non-strangers (Table 3). Small proportions of incidents involving both strangers and non-strangers (6% and 5% respectively) resulted in major physical injury.

The only violent crimes where strangers were much more likely to inflict some type of injury on the victim were for "other violent" violations (most of which were assaults against peace officers).

Table 2

# Location of Offence by Accused-Victim Relationship, 1996

| Location  | Total Victims  |  | Relation                        | Relationship of Accused to Victim |                       |                            | Non-Stranger           |                        |                        |  |
|---|--|--|---------------------------------|-----------------------------------|-----------------------|----------------------------|------------------------|------------------------|------------------------|--|
|   | Number   | Percent <sup>1</sup>                   | Stranger                        | Total Non-<br>Stranger            | Unknown <sup>2</sup>  | Acquaintance               | Close Friend           | Spouse /<br>Ex-spouse  | Other Family           |  |
|   |  | %                                      | %                               | %                                 | %                     | %                          | %                      | %                      | 9/0                    |  |
| Total <sup>3</sup>  | 130,051  | 100                                    | 34                              | 60                                | 6                     | 28                         | 6                      | 17                     | g                      |  |
| Residence<br>Commercial/Corporate Places<br>Outdoors<br>Public Places<br>Schools<br>Unknown | 56,040<br>24,286<br>29,547<br>4,898<br>5,233<br>10,047 | 100<br>100<br>100<br>100<br>100<br>100 | 9<br>56<br>54<br>41<br>18<br>69 | 87<br>35<br>38<br>53<br>78<br>25  | 4<br>8<br>8<br>6<br>4 | 23<br>28<br>29<br>46<br>73 | 11<br>2<br>4<br>2<br>3 | 34<br>3<br>4<br>2<br>1 | 18<br>2<br>2<br>3<br>1 |  |

Totals may not add to 100 due to rounding

<sup>&</sup>lt;sup>4</sup> This refers to apparent physical injuries at the scene of the incident and excludes emotional or psychological trauma that often results from violent victimization.

The identity of the accused was unknown or the relationship could not be established.

Represents all victim records

Source: UCR II: Non-random sample of 154 police agencies accounting for 47% of the national volume of crime. The data are not nationally representative.

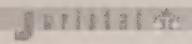
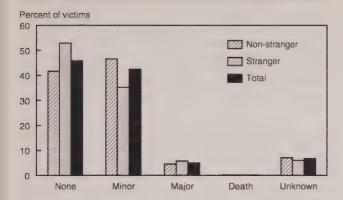


Figure 2

### Level of injury, 1996



Source: UCR II: Non-random sample of 154 police agencies accounting for 47% of the national volume of crime. The data are not nationally representative.

When comparing the overall use of weapons by strangers and non-strangers, some differences can be noted. Weapons were present in 39% of violent crimes where a stranger was involved, compared with 28% of cases where the accused knew the victim. Only 1% of all non-stranger violence involved a firearm; compared to 12% for strangers (Figure 3). Knives and sharp objects were also more likely to be found in incidents that involved strangers (12% compared to 7%).

The greater level of firearm involvement in stranger violence is related to the number of strangers involved in robbery offences. Nearly three-quarters (73%) of all offences where a firearm was present were robberies, and 86% of these involved strangers.

### Males twice as likely to be victims of stranger violence

Like other criminal offences, violent crimes are most often committed by males. In 1996, nearly nine in ten (86%) persons accused of violent crimes were males. A profile of victims reveals that males and females were equally likely to be victimized; however, they tended to be victimized by different types of people.

Table 3

### Type of Offence by Relationship and Injury, 1996

|                    |        |                      | Total Stra        | nger     |          | Total Non-Stranger |        |                      |                   |       |       |         |
|--------------------|--------|----------------------|-------------------|----------|----------|--------------------|--------|----------------------|-------------------|-------|-------|---------|
| Offence            |        |                      |                   | Level of | f Injury |                    |        |                      | Level of Injury   |       |       |         |
|                    | Number | Percent <sup>2</sup> | None <sup>1</sup> | Minor    | Major    | Unknown            | Number | Percent <sup>2</sup> | None <sup>1</sup> | Minor | Major | Unknown |
|                    |        | %                    | %                 | %        | %        | %                  |        | %                    | %                 | %     | %     | %       |
| Total <sup>3</sup> | 44,710 | 100                  | 53                | 35       | 6        | 6                  | 77,729 | 100                  | 42                | 47    | 5     | 7       |
| Homicide⁴          | 51     | 100                  | -                 | _        | 100      |                    | 146    | 100                  | -                 | -     | 100   | -       |
| Attempted Murder   | 161    | 100                  | 26                | 20       | 53       | 1                  | 332    | 100                  | 17                | 22    | 59    | 1       |
| Sexual Assault 3   | 32     | 100                  | -                 | 38       | 44       | 16                 | 98     | 100                  | -                 | 39    | 38    | 18      |
| Sexual Assault 2   | 119    | 100                  | -                 | 45       | 8        | 8                  | 155    | 100                  | -                 | 37    | 16    | 13      |
| Sexual Assault 1   | 1,684  | 100                  | -                 | 16       | -        | 12                 | 6,844  | 100                  | -                 | 12    |       | 17      |
| Assault 3          | 505    | 100                  | -                 | 26       | 71       | 2                  | 837    | 100                  | -                 | 24    | 73    | 1       |
| Assault 2          | 5,763  | 100                  | -                 | 47       | 25       | 2                  | 11,283 | 100                  | -                 | 55    | 21    | 3       |
| Assault 1          | 14,365 | 100                  | -                 | 53       | -        | 6                  | 48,625 | 100                  | -                 | 56    | -     | 7       |
| Abduction          | 739    | 100                  | 74                | 19       | 3        | 4                  | 1,003  | 100                  | 49                | 34    | 8     | 9       |
| Robbery            | 16,615 | 100                  | 68                | 21       | 3        | 7                  | 1,738  | 100                  | 44                | 38    | 9     | 10      |
| Other Violent      | 4,676  | 100                  | 67                | 26       | 1        | 6                  | 6,668  | 100                  | 84                | 9     | 1     | 5       |

No visible injuries were noted at the time of the incident or the violation did not involve the use of weapons nor physical force against the victim Totals may not add to 100 due to rounding

Source: UCR II: Non-random sample of 154 police agencies accounting for 47% of the national volume of crime. The data are not nationally representative.

#### Stranger violence more likely to involve weapons

In 1996, weapons<sup>5</sup> were present in over one-third (36%) of all violent crimes. Weapons are used in some instances more to threaten the victim than to inflict injury. For example, over one-half (55%) of all robberies involved the presence of a weapon; however only 26% of victims were injured. Although the weapon may not have been used to cause injury, the risk and potential for injury were present.

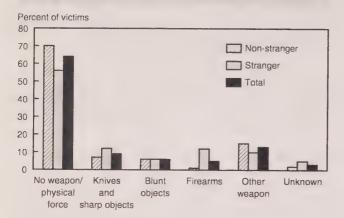
Males were twice as likely as females to be victimized by a stranger. Strangers were involved in 22% of violent incidents against females, compared to 46% of incidents involving male victims (Figure 4). Males were also more likely than females to be victimized by acquaintances. Female victims were more likely to be attacked by someone known to them, especially by a spouse or ex-spouse (30% compared to 4% of males).

Represents all victim records, excluding where relationship was unknown. Injuries for homicide refer to deaths.

Weapons include the following: knives and sharp objects, blunt objects, firearms, and other weapons such as fire and explosives.

Figure 3

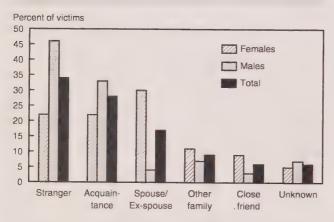
### Most serious weapon present, 1996



Source: UCR II: Non-random sample of 154 police agencies accounting for 47% of the national volume of crime. The data are not nationally representative.

Figure 4

# Sex of victims by relationship to accused, 1996



Source: UCR II: Non-random sample of 154 police agencies accounting for 47% of the national volume of crime. The data are not nationally representative.

# Young adults most likely to be victims of stranger violence

Information gathered from victimization surveys such as the 1993 GSS and the VAWS reveals that young adults under 24 years of age have the highest rates of violence. This is true for both males and females. The GSS indicates that in a one-year period, young adults aged 15 to 24 were five times more likely to face violent victimization than those aged 45 and over.

According to police statistics, nearly one-third (30%) of all victims of violent crime were between the ages of 15 and 24, and one-quarter (25%) were 25 to 34 years old (Figure 5). The proportion of victims aged 15 to 24 was nearly three times higher than the much larger age group of persons over 45 years old.<sup>6</sup> Overall, young males (15 to 24) presented the largest group of persons victimized by a stranger. Approximately one-quarter (24%) of all incidents of stranger violence involved an attack on a man (or men) between the ages of 15 and 24 (Table 4). Men between the ages of 25 and 34 made up the next largest proportion (17%) followed by young women (aged 15 to 24) (11%), and men aged 35 to 44 (10%).

A number of factors largely related to lifestyle can help explain why younger age groups are at greater risk of violent victimization, especially by strangers. Unattached individuals have more available leisure time to pursue activities in public places, which increases their risk of attack by a stranger (Cohen & Felson, 1979). Findings from the 1993 GSS indicate that young, single people as well as students, reported the highest frequency of evenings spent outside the home. Single people (most of whom are young) reported rates of violent victimization that were twice the national average and four times greater than those of married persons (including common-law unions). In addition, numerous violent incidents involve the consumption of alcohol, both in public drinking establishments and in the home.

Figure 5

# Victims of violent crime by age group, 1996



**Source:** UCR II: Non-random sample of 154 police agencies accounting for 47% of the national volume of crime. The data are not nationally representative.

<sup>&</sup>lt;sup>6</sup> Rates cannot be calculated with revised UCR survey data because the available police data are not consistent with Census population figures; however, general proportions can be established.

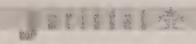


Table 4

### Sex and Age of Victim by Accused-Victim Relationship, 1996

|   |                                   | Relationship of                       | Accused to Victim                      | Non-Stranger Non-Stranger             |  |  |                                       |  |  |
|---|-----------------------------------|---------------------------------------|--|---------------------------------------|--|--|---------------------------------------|--|--|
| Victim Age and Gender   | ' Total 1                         | Stranger                              | Total<br>Non-Stranger <sup>2</sup>     | Unknown <sup>3</sup>                  | Acquaintance                           | Close Friend                                 | Spouse /<br>Ex-spouse                 | Other Family                                   |  |
| Number<br>Percent <sup>4</sup>  | 121,206<br>100                    | 41,374<br>100                         | 72,682<br>100                          | 7,150<br>100                          | 33,699<br>100                          | 7,300<br>100                                 | 20,561<br>100                         | 11,122<br>100                                  |  |
| Total Males/Females   |                                   |                                       |  |                                       |  |  |                                       |  |  |
| Under 15<br>15-24<br>25-34<br>35-44<br>45-54<br>55-64<br>65+                        | 14<br>30<br>25<br>17<br>8<br>3    | 10<br>35<br>24<br>16<br>9<br>4        | 17<br>27<br>26<br>18<br>8<br>3         | 13<br>34<br>23<br>16<br>9<br>3        | 21<br>30<br>21<br>15<br>8<br>3<br>2    | 9<br>38<br>28<br>18<br>6<br>1                | 20<br>41<br>27<br>8<br>2              | 38<br>23<br>12<br>12<br>8<br>4<br>3            |  |
| Females   |                                   |                                       |  |                                       |  |  |                                       |  |  |
| Under 15<br>15-24<br>25-34<br>35-44<br>45-54<br>55-64<br>65+<br><b>Total Female</b> | 6<br>15<br>13<br>9<br>4<br>1<br>1 | 3<br>11<br>7<br>5<br>3<br>2<br>2<br>2 | 8<br>17<br>17<br>12<br>4<br>1<br>1     | 6<br>13<br>9<br>6<br>4<br>1<br>1<br>4 | 9<br>13<br>8<br>5<br>3<br>1<br>1<br>40 | 6<br>33<br>22<br>13<br>4<br>1<br>-           | 19<br>37<br>24<br>7<br>2<br>1         | 23<br>15<br>7<br>8<br>5<br>2<br>2<br><b>62</b> |  |
| Males   |                                   |                                       |  |                                       |  |  |                                       |  |  |
| Under 15<br>15-24<br>25-34<br>35-44<br>45-54<br>55-64<br>65+<br><b>Total Male</b>   | 8<br>15<br>12<br>8<br>4<br>2<br>1 | 7<br>24<br>17<br>10<br>6<br>2<br>1    | 8<br>10<br>9<br>7<br>3<br>1<br>1<br>39 | 7<br>21<br>14<br>10<br>5<br>2<br>1    | 12<br>17<br>13<br>10<br>5<br>2<br>1    | 3<br>6<br>6<br>4<br>2<br>-<br>-<br><b>21</b> | -<br>1<br>4<br>4<br>1<br>-<br>-<br>11 | 15<br>8<br>5<br>4<br>3<br>2<br>1               |  |

Represents all victim records. Excludes cases where age and sex is unknown

Amount less than one percent.
 Source: UCR II: Non-random sample of 154 police agencies accounting for 47% of the national volume of crime. The data are not nationally representative.

# AGE AND SEX OF OFFENDERS<sup>7</sup>

### Male against female violence most common, but least likely to involve strangers

The most common type of violent incident involves a male accused and a female victim. In 1996, almost half (48%) of all violent crimes involved a male perpetrator against a female victim (Table 5). In an additional 39% of cases, males attacked males, while the remaining 13% were committed by female offenders against females (7%) and against males (6%).

Although it was the most common type of violence, male against female violence was least likely to involve strangers. In the large majority of these cases (87%), assailants knew the victim(s), and almost one-half (46%) were spouses. The type of incident most likely to involve strangers was male on male violence. Approximately four in ten (39%) of these cases involved strangers.

### Strangers accused of violent crime slightly younger than non-strangers

When comparing ages of accused persons that were strangers and those that were non-strangers, some subtle differences emerge. Few differences are noted for most age categories, except for persons aged 15 to 24. Stranger violence tends to happen more frequently among young adult offenders (15 to 24) than violence perpetrated by somebody known to the victim(s) (Table 6). The median age for accused persons that were non-strangers to the victim was 31, slightly older than persons who were strangers (29). The same lifestyle factors that can help explain why younger adults are more prone to violent victimization can also be used in the context of the offender.

Excludes cases where relationship is unknown

The identity of the accused was unknown or the relationship could not be established.

Totals may not add to 100 due to rounding

Because of certain methodological limitations, characteristics about the offender can only be gathered for incidents that involved only one accused person (see Methodology).

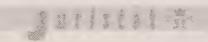


Table 5

### Sex of Accused and Victim by Accused-Victim Relationship, 1996

|                                  |                                  |                                    |                    |                          | Relationship o       | Accused to Vic         | tim                  | Non-Stranger         |                   |                       |                     |  |
|----------------------------------|----------------------------------|------------------------------------|--------------------|--------------------------|----------------------|------------------------|----------------------|----------------------|-------------------|-----------------------|---------------------|--|
| Accused                          | Victim                           | Number                             | Percent            | Total % <sup>1</sup>     | Stranger             | Total Non-<br>Stranger | Unknown <sup>2</sup> | Acquain-<br>tance    | Close<br>Friend   | Spouse /<br>Ex-spouse | Other<br>Family     |  |
|                                  |                                  |                                    | %                  | %                        | %                    | %                      | %                    | %                    | %                 | %                     | %                   |  |
| Total <sup>3</sup>               |                                  | 76,398                             | 100                | 100                      | 23                   | 73                     | 4                    | 30                   | 7                 | 25                    | 11                  |  |
| Male<br>Male<br>Female<br>Female | Male<br>Female<br>Male<br>Female | 29,591<br>36,849<br>4,479<br>5,479 | 39<br>48<br>6<br>7 | 100<br>100<br>100<br>100 | 39<br>11<br>23<br>17 | 56<br>87<br>71<br>78   | 6<br>3<br>5<br>4     | 43<br>18<br>21<br>53 | 3<br>12<br>7<br>4 | 1<br>46<br>33<br>2    | 9<br>11<br>10<br>19 |  |

Table 6

## Sex and Age of Accused by Accused-Victim Relationship, 1996

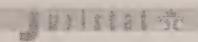
|   |                                       |                                       |                                       |                                       |   | Non-Strang                            | ger                            |                                       |
|---|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---|---------------------------------------|--------------------------------|---------------------------------------|
| Accused Age and Gender  | Total <sup>1</sup>                    | Stranger                              | Total Non-<br>Stranger                | Unknown <sup>2</sup>                  | Acquaintance                                    | Close Friend                          | Spouse /<br>Ex-spouse          | Other<br>Family                       |
| Number<br>Percent <sup>3</sup>  | 76,378<br>100                         | 17,346<br>100                         | 55,854<br>100                         | 3,178<br>100                          | 22,910<br>100                                   | 5,618<br>100                          | 19,005<br>100                  | 8,321<br>100                          |
| Total Males/Females   |                                       |                                       |                                       |                                       |   |                                       |                                |                                       |
| Under 15<br>15-24<br>25-34<br>35-44<br>45-54<br>55-64<br>65+                        | 5<br>26<br>32<br>23<br>9<br>3<br>1    | 3<br>32<br>33<br>20<br>7<br>2<br>1    | 6<br>24<br>31<br>24<br>10<br>3        | 4<br>30<br>33<br>22<br>8<br>2         | 12<br>30<br>25<br>19<br>9<br>3<br>2             | 2<br>32<br>35<br>21<br>6<br>2         | -<br>13<br>41<br>31<br>11<br>3 | 6<br>26<br>25<br>26<br>12<br>3        |
| Females   |                                       |                                       |                                       |                                       |   |                                       |                                |                                       |
| Under 15<br>15-24<br>25-34<br>35-44<br>45-54<br>55-64<br>65+<br><b>Total Female</b> | 1<br>4<br>4<br>3<br>1<br>-<br>-<br>13 | 1<br>3<br>4<br>3<br>1<br>-<br>-<br>12 | 1<br>4<br>4<br>3<br>1<br>-<br>-<br>13 | 1<br>4<br>4<br>3<br>1<br>-<br>-<br>13 | 3<br>5<br>4<br>3<br>1<br>-<br>-<br>17           | 1<br>3<br>4<br>2<br>-<br>-<br>-<br>10 | 1<br>4<br>3<br>1<br>-          | 2<br>5<br>5<br>4<br>1<br>-<br>-<br>18 |
| Males   |                                       |                                       |                                       |                                       |   |                                       |                                |                                       |
| Under 15<br>15-24<br>25-34<br>35-44<br>45-54<br>55-64<br>65+<br><b>Total Male</b>   | 4<br>22<br>28<br>20<br>8<br>3<br>1    | 2<br>29<br>29<br>18<br>7<br>2<br>1    | 5<br>20<br>27<br>21<br>9<br>3<br>1    | 3<br>27<br>28<br>19<br>7<br>2<br>1    | 9<br>25<br>21<br>16<br>8<br>3<br>2<br><b>83</b> | 2<br>29<br>32<br>20<br>6<br>2<br>1    | 12<br>37<br>28<br>10<br>3<br>1 | 5<br>20<br>20<br>22<br>10<br>3<br>1   |

Represents a sample of single accused records. Excludes cases where age is unknown. The identity of the accused was unknown or the relationship could not be established. Totals may not add to 100 due to rounding.

Amount less than one percent.

Totals may not add to 100 due to rounding.
The identity of the accused was unknown or the relationship could not be established.
Represents a sample of single accused records. Excludes cases where sex is unknown.
Source: UCR II: Non-random sample of 154 police agencies accounting for 47% of the national volume of crime. The data are not nationally representative.

Source: UCR II: Non-random sample of 154 police agencies accounting for 47% of the national volume of crime. The data are not nationally representative.



Among male strangers, the proportion of those between the ages of 15 and 24 was the same as those aged 25 to 34. These two age groups accounted for nearly 6 in 10 (58%) attacks by strangers.

#### Offenders somewhat older than victims

Police-reported data indicate that overall, the age profile of total accused persons tends to be somewhat older than that of victims. Whereas 44% of all victims of violent crime in 1996 were under 25 years old, the figure for accused persons was 31%. This may be because there is a greater proportion of victims under 15 years old, whereas offenders under 12 are not subject to criminal justice processing. This pattern is noted in all relationship categories.

As previously noted, persons aged 15 to 24 made up a significant proportion of all victims. Although this age group made up a notable proportion of all offenders (26%), the largest age group of those accused of a violent crime fell in the 25 to 34 age category (32%). The median age for all victims of violence committed by a stranger was 26, whereas the median age of offenders was 29.

#### Box 7 - Perceptions and characteristics of incidents where accused is a stranger

According to the 1993 GSS, in violent crime incidents involving strangers, victims had lower levels of fear than those incidents where the victim knew the offender. When the offender was known to the victim. approximately one-half (48%) of victims were very or somewhat worried when alone in their homes in the evening or at night. In contrast, when the offender was a stranger, 40% of victims felt the same sentiment. Similarly, in 35% of violent incidents where the offender was a stranger victims felt somewhat or very unsafe when walking alone after dark. The proportion increases to 45% in incidents where the offender knew the

The GSS reported that a majority (66%) of violent crime incidents occurred during the night; however, incidents where the victim was attacked by a stranger were more likely to occur at night (73%). Lifestyle and demographic characteristics of both the accused and victim help explain this. For example, young single persons and students are more likely to engage in night time activities than their older counterparts. As a result, such persons are exposed to more situations that may involve contact with strangers.

# STRANGERS IN HOMICIDES

What image does the public envision when considering the "typical" homicide involving a stranger? Most recently, popculture in both film and television has been inundated with the notion of socio- and psychopathic serial killers, thus possibly having an effect on how the public shapes its image of homicides involving strangers. But this does not paint an accurate picture of the typical homicide, nor homicides involving strangers.

#### Strangers commit a minority of homicides

In 1996, the homicide rate in Canada was 2.1 per 100,000 population. Following four straight annual declines, the national rate increased by 6% from 1995 to 1996. Although there were 45 more homicides in 1996 than in the previous year, there were still fewer total homicides than the average for the previous ten years.8

In 1996, of all the homicides where an accused was identified. 49% of the victims (241) were killed by an acquaintance, 37% (183) by a family member, and 14% (67) by a stranger (Table 7).

In order to obtain accurate characteristics of homicides based on the relationship of the accused to the victim, a sub-sample of those incidents which involved only one victim and one accused will be examined for the remainder of this section. Of all homicides between 1991 and 1996 where a single accused and a single victim were identified, 49% of the victims were killed by an acquaintance, 38% by a family member, and 12% by a stranger. This is not unlike the 1996 results based on the total number of solved homicides described above.

#### Stranger homicides more likely to involve males

Historically, approximately two-thirds of homicide victims are males and about nine in ten offenders are males (Fedorowycz,

Table 7

### Homicides by Accused-Victim Relationship, 1991-1996

| Deletionable              | 199    | 61      | 1996   | 5 <sup>2</sup> | Total 1991-1996 <sup>2</sup> |         |  |
|---------------------------|--------|---------|--------|----------------|------------------------------|---------|--|
| Relationship              | Number | Percent | Number | Percent        | Number                       | Percent |  |
| Total <sup>3</sup>        | 491    | 100     | 362    | 100            | 2,400                        | 100     |  |
| Acquaintance <sup>4</sup> | 241    | 49      | 180    | 50             | 1,172                        | 49      |  |
| Family                    | 183    | 37      | 133    | 37             | 911                          | 38      |  |
| Stranger                  | 67     | 14      | 49     | 14             | 297                          | 12      |  |
| Unknown                   | -      | *       | -      | -              | 20                           | 1       |  |

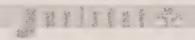
Includes homicide incidents in which there were known suspects; if there was more than one suspect, only the closest relationship to the victim was recorded.

Source: Homicide Survey, 1991-1996.

These figures refer to total homicides in Canada reported by the Homicide Survey

Includes only those cases involving a single accused and a single victim Totals may not add to 100 due to rounding.

Category includes close friends, and other casual acquaintances



1997). The proportion for stranger homicides is even greater: over eight in ten (83%) victims are males and virtually all accused persons (98%) are males.

### Most stranger homicides occur outside the home

Police-reported data and victimization surveys indicate that approximately nine in ten incidents of stranger-related violence occurred outside the home. The figures for homicide were lower, but the majority of stranger homicides do occur outside the home. Since 1991 (when information on stranger homicide characteristics was first gathered), about one-quarter (27%) of stranger homicides occurred in a residential setting. By contrast, most non-stranger homicides take place at home. Between 1991 and 1996, for example, nine out of ten (87%) family homicides occurred in the home, as did 66% of acquaintance homicides.

# Strangers less likely to use firearms in homicides

Firearm use in homicides is greatest in instances where the accused was an acquaintance of the victim (30%). Just over one-quarter (26%) of family homicides involved the use of a firearm, while firearms were present in 23% of stranger homicides.

# Assault and robbery most common precipitating crime

Some differences are noted when comparing the precipitating crime of homicides involving strangers and those involving non-strangers. Almost half (48%) of all stranger homicides involved another offence, whereas the proportion drops to 25% for homicides involving non-strangers. Of homicides involving strangers the most common precipitating crimes were robberies (12%) and assaults (11%), followed by sexual assaults (8%). Break and enters were involved in 4% of stranger homicides. The most common precipitating crime for non-stranger homicides was assault (9%).

### CONCLUSION

The International Crime Victimization Survey indicates that levels of fear have increased in recent years. While the majority of Canadians do not express fear for their safety, fear continues to be a problem for certain segments of the population. Women, victims of certain types of crimes, and those who perceive their neighbourhoods as being conducive for criminal activity to flourish, all demonstrate levels of fear that are greater than for men and for younger segments of the population. In addition, despite decreases in police reported-crime rates, the majority of Canadians believe that crime in their neighbourhoods has increased. Explaining why this belief contradicts statistical evidence is beyond the scope of this report. A multitude of variables such as media influence, regional factors, and demographic characteristics may contribute to perceptions of safety.

Approximately one-third of all victims of police-reported crimes were victimized by a stranger. Victimization surveys and police-reported data indicate that most crimes occur in the

home, and in most of these situations, the victim and the accused know each other. Stranger attacks in the home are uncommon; nonetheless, stranger violence is still an area which raises much public concern.

The risk associated with stranger violence is largely based on lifestyle factors, and young males between the ages of 15 and 24 present the largest group of persons victimized by a stranger.

Police-reported data indicate that a larger proportion of stranger violence involves the use of firearms. This is largely due to the significant proportion of robberies that are committed by strangers and the prevalence of weapons in the commission of these crimes. Despite higher levels of weapon use, strangers were less likely than other offenders to inflict physical injury on victims.

Quantifying the nature and extent of stranger violence may help Canadians better understand this issue which seems to affect public perceptions and concerns over crime.

# **METHODOLOGY**

#### AGGREGATE UNIFORM CRIME REPORTING SURVEY (UCR) —

The UCR Survey has been collecting summary information on crime from police agencies across Canada since 1962. This survey records the number of criminal incidents that come to the attention of the police. It includes the number of reported offences and the number of actual offences (excluding those that are unfounded), the number of offences cleared by charge, the number of persons charged by sex and by adult/youth breakdown.

#### REVISED UNIFORM CRIME REPORTING SURVEY (UCR II) –

Introduced in 1988, the UCR II captures detailed information on individual criminal incidents reported to police, including characteristics of victims, accused persons and the incidents. In 1996, 154 police departments in six provinces reported to the UCR II. The data represent 47% of the national volume of crime, and the reader is cautioned that these data are not nationally representative. Coverage of the survey will continue to grow as more police agencies convert to the UCR II.

#### The relationship of the accused to the victim

As previously indicated, the principle data source utilized in the preparation of this *Juristat* was the 1996 UCR II. The main unit of count is the violation against the victim (130,051 records). Using cases captured through the UCR II, this report focuses primarily on the relationship between the accused and the victim. Two separate analyses are made. The first describes crime based on victim records, because the relationship information is located in the victim file. The second focuses on characteristics of the accused.

In order to establish relationship characteristics of the accused, all incidents with no accused or more than one accused were excluded from the analysis. This was necessary because where there are multiple accused records, it is not possible to determine which accused represents the relationship to the victim(s). As a result, the second analysis focuses only on those incidents where a single accused was identified (76,643 records). These include cases where there was more than one victim. In cases where there were two or more victims present, analyses of incidents and accused persons by relationship will result in multiple counting. For example, a man may assault two persons in an incident, one he knows and one he doesn't. As a result, two relationships will be analyzed - the accused as a stranger and the accused as an acquaintance. Most of those incidents where a single accused was identified involved a single victim (87%).

#### HOMICIDE SURVEY –

The Homicide Survey provides police-reported data on the characteristics of homicide victims, accused persons, as well as the incident. The survey has collected detailed information from the police on all homicides across Canada since 1961. It was revised in 1991, thus adding new data elements as well as improving existing ones.

#### GENERAL SOCIAL SURVEY (GSS) -

The GSS is a multi-cycle survey designed to measure the social conditions of Canadians. The topics covered include time use, the family, work and leisure, and crime and accidents. Each cycle runs once every five years.

The 1993 GSS was the second running of the crime and accident cycle. Telephone interviews were conducted with approximately 10,000 Canadians aged 15 and older. The sample covered the non-institutionalized population of the ten provinces and was selected using random digit dialing techniques. Respondents were asked about their experiences with crime and the criminal justice system over the previous 12 month period. On the basis of these interviews, estimates were made of the incidence of eight specific crimes (three violent and five property crimes) in the general population of 15 years of age and over.

#### VIOLENCE AGAINST WOMEN SURVEY (VAWS) –

In 1993, Statistics Canada conducted the VAWS on behalf of Health Canada. It was conducted by telephone using random digit dialing techniques. A total of 12,300 women aged 18 years and older were interviewed about their experiences of physical and sexual violence since the age of 16, their responses to these experiences, and their perceptions of their personal safety. Responses were weighted to represent the 10.5 million women in the Canadian population. Estimates were made of both twelve-month and adult lifetime rates of violence.

#### INTERNATIONAL CRIME VICTIMIZATION SURVEY (ICVS) –

In 1996, the ICVS was conducted for the third time, and Canada was one of 34 participating countries. The survey was coordinated by the Ministry of Justice in the Netherlands and the United Nations Interregional Crime and Justice Research Institute, and was conducted to provide comparable information on the incidence of victimization around the world. A random sample of persons aged 16 years and older were asked for detailed information on 11 offences, including when, where, and how often offences occurred over the previous five years; whether offences were reported to the police; and whether victimization experiences were considered serious. Participants were also asked for opinions on pubic safety, policing, as well as sentencing. In Canada, 2,134 respondents were interviewed by telephone.

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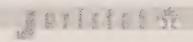
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LEGAL AID IN CANADA: 1996-97

by Rebecca Johnstone and Jennifer Thomas

# HIGHLIGHTS

- Total expenditures on legal aid in Canada were \$536.1 million in 1996-97, a 14% decrease from 1995-96. Expressed in per capita terms, legal aid spending dropped to \$17.90 per Canadian in 1996-97, compared to \$21.00 in 1995-96. This marks the second year in a row that expenditures decreased, ending a period of generally increased expenditures between 1986-87 and 1994-95 (with the exception of 1993-94, when a slight decrease was experienced).
- Of the \$465.1 million spent on direct legal services in 1996-97, 68% was paid to private lawyers, and the other 32% went to salaried professionals.
- Governments continue to be the major source of revenue for legal aid plans, contributing 90% of total revenues. The remainder of the revenue came from client contributions and cost recoveries (4%), legal profession contributions (2%), and other sources (3%).
- In 1996-97, there were 824,451 applications submitted for legal aid assistance, a 15% drop from 1995-96. This is even lower than the 835,270 filed in 1988-89, before the legal aid system experienced higher volumes of applications in the early nineties, with a peak of 1,171,095 applications in 1992-93.
- There were also fewer applications approved, totalling 510,914 in 1996-97, 21% less than the previous year. Approved applications constituted 62% of total applications received.
- The recent declines in approved applications can be largely accounted for in Ontario, where the government has reduced funding. This has resulted in tightened eligibility criteria for legal aid in Ontario.
- Although all but two jurisdictions approve more applications for criminal cases than for civil, at the national level, slightly over half of all approved applications (53%) are civil cases.

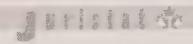


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June 1998 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

Published by authority of the Minister responsible for Statistics Canada.

@ Minister of Industry, 1998

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## Introduction

It is entrenched in Section 10(b) of the Canadian Charter of Rights and Freedoms (1982) that all Canadians have the "right to retain counsel without delay" for criminal cases. Legal aid plans have been established in all provinces and territories, with the common goal of assisting low-income Canadians who require professional legal counsel.

Ontario enacted the first legal aid act in 1967. The remaining jurisdictions soon followed suit with the last legal aid act being enacted in 1979 by Yukon. Prior to legislation, legal aid was administered primarily on an informal basis with lawyers volunteering their services. This differs from present-day services in both the extent and philosophy of assistance. In the past, legal aid was viewed as an expression of the legal profession's social responsibility; however it more recently has come to be viewed as both an aspect of social welfare and an important component of an effective justice system.

Legal aid plans in Canada provide legal representation, advice, referrals and information services. Because the administration of justice is a provincial responsibility, the organizational structure, eligibility requirements, and application of the legal aid plans differ in each province and territory. Considering these fundamental differences in the structure and the accompanying organizational differences, caution must be used when making inter-jurisdictional comparisons of legal aid plans in Canada.

This *Juristat* provides information on the organization and costs of legal aid in Canada. It includes information on legal aid delivery systems, revenues and expenditures, and applications for legal aid. In addition, it describes how cost-cutting measures have had an impact on application approval rates and delivery of legal aid services.

#### **Legal Aid Delivery Systems in Canada**

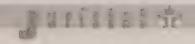
Three basic models have been adopted to deliver legal aid services. **Judicare**, a fee-for-service system, uses private lawyers who bill the legal aid plan for their services. The client may retain any lawyer who is willing to accept the case. New Brunswick, Ontario¹ and Alberta are the only provinces which operate judicare systems.

A staff system (sometimes referred to as a public defender model), directly employs lawyers to provide legal aid services. Newfoundland<sup>2</sup>, Prince Edward Island, Nova Scotia and Saskatchewan have adopted this approach. Even in staff systems, the private bar is used when circumstances warrant, such as conflict of interest, or unavailability of a staff lawyer.

A combination of the judicare and staff systems, a **mixed system** utilizes both private and staff lawyers in the provision of legal services. The remaining five jurisdictions (Quebec, Manitoba, British Columbia, Northwest Territories, and Yukon) operate mixed systems of legal aid. In most of these jurisdictions the client has the right to choose counsel, either staff or private, from a "panel" of lawyers providing legal aid services.

Although the Ontario Legal Aid Plan considers its delivery system a 'mixed' model of service, Ontario is presented here as a 'primarily' judicare model, since such a high proportion of direct legal expenditures is utilized by private lawyers in the provision of legal aid services.

<sup>&</sup>lt;sup>2</sup> Although Newfoundland Legal Aid Commission considers its delivery system a 'mixed' model of service, Newfoundland is presented here as a 'primarily' staff model, since such a high proportion of direct legal expenditures is utilized by staff lawyers in the provision of legal aid services.



#### Box 1

#### YOUNG OFFENDERS ACT AND LEGAL AID

If circumstances warrant, youths also have the right to legal aid. The federal/provincial/territorial cost sharing agreements stipulate that all legal aid cases involving the *Young Offenders Act* are eligible for cost sharing between Justice Canada and the provinces and territories. In most jurisdictions, young persons between the ages of 12 and 17 may apply for legal aid when they have been charged with a federal indictable offence. In most jurisdictions, the assessment of financial eligibility is often based on parents' income; though, in most instances, if parents are unwilling to contribute to their child's legal aid expenses, legal aid coverage will not be denied.

Data specific to legal aid for youths are not available; however it is known that the youth crime rate and the rate of court cases involving youths are on the decline. The crime rate for youth has been on a downward trend since 1991, dropping from 6,229 youths charged per 100,000 in 1991 to 4,874 per 100,000 in 1996 (a 22% decrease over the course of five years)<sup>3</sup>. Similarly, the rate of youth court cases has dropped from 4,974 per 100,000 in 1992-93 to 4,553 per 100,000 in 1996-97, a decrease of 8.5%.<sup>4</sup>

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics.

Source: Youth Court Survey, Canadian Centre for Justice Statistics.

#### Legal aid for both civil and criminal cases

An important factor in the decision to grant legal aid is the nature of the case. Both criminal and civil cases are covered by all legal aid plans; however the extent of coverage varies.

Criminal legal aid coverage is, in part, determined under federal/provincial/territorial cost-sharing agreements. These agreements set standards for minimum legal aid coverage for criminal matters throughout Canada. In most jurisdictions, coverage is available for those charged with indictable offences. However, in Ontario and British Columbia, both indictable and summary conviction criminal cases are covered only when there is a threat of imprisonment. British Columbia will also consider cases where there is a risk of loss of livelihood. Generally, the coverage of summary conviction offences is limited to cases where there is a likelihood of imprisonment or a danger of loss of livelihood.

Civil cases are eligible for legal aid coverage everywhere in Canada. In practice, many of the civil cases handled are family matters, especially in Prince Edward Island, Nova Scotia, Saskatchewan, Yukon and New Brunswick. In the first four jurisdictions, limited coverage for non-family matters is provided. Other jurisdictions extend coverage to a broader range of civil matters. Refugee cases and cases involving the *Mental Health Act* are also eligible under legal aid plans in most jurisdictions.<sup>5</sup>

In addition to the type of case, legal aid plans typically assess legal merit and urgency, the nature of the service applied for, the cost of the proceedings, the chance of successfully winning the case, and the client's history. Also taken into consideration is whether or not a reasonable person who had to pay a lawyer would spend the money to advance the case.

#### **Determination of eligibility**

While there are jurisdictional differences in legal aid eligibility requirements, common to all plans is an assessment of the financial situation of each applicant. This assessment often takes into consideration the individual's income, assets, and family size, which are compared to a set of financial guidelines that have been established by all jurisdictions except New Brunswick, where no set guidelines have been set. These guidelines are considered in combination with other case factors.

#### Not necessarily free legal assistance

Financial eligibility guidelines are used to assess the applicant's ability to afford legal counsel. Clients may be requested to contribute to the cost of services according to their ability to pay. An agreement between the client and the plan specifies the amount and how it is to be paid. Client contributions and cost recoveries (includes monies recovered from a judgment, award or settlement) amounted to \$22.2 million nationally in 1996-97.

Tariffs have been established in all jurisdictions, providing private lawyers with payment for their legal aid cases. The tariff may provide for an hourly rate (which currently ranges from \$45 to \$102), or block fees (i.e., a flat fee prescribed for certain types of cases and/or services). In several jurisdictions, the tariff may also depend on the lawyer's years of experience, the type of case, and the level of court in which proceedings will take place. General preparation fees are also covered in the tariffs, and are often specified by the jurisdictions.

#### Staffing

The staffing of legal aid plans depends on the delivery system adopted by the province or territory. Table 1 illustrates that provinces with judicare systems employ proportionately fewer lawyers than do the provinces operating staff systems. Overall, lawyers account for 36% of the staff, a reasonably stable proportion since the data series began in 1983-84. Lawyers are responsible for providing most direct legal services (e.g., advice and representation) to clients, although other staff may assist in this work. In Canada in 1996-97, 69% of direct legal service staff were lawyers. The remaining 31% of staff providing direct legal services were other staff, such as para-legals and law students.

There are other personnel who ensure the accessibility and productivity of the legal aid plans. They include administrative staff, law students, accountants, research staff, librarians and others. Table 1 shows that non-lawyers account for the highest proportion of legal aid personnel. Legal aid organizations range in staff size from 7 members, as in the case of Prince Edward Island and Yukon, to 963 personnel in Quebec. The total number of personnel in legal aid offices in Canada steadily increased from 1983-84 to 1993-94, but seems to have plateaued, with fairly stable personnel numbers since 1993-94.

Readers are invited to consult <u>Legal Aid in Canada: Description of Operations</u> (catalogue no. 85-217XDB), where a fuller description of legal aid coverage is provided for each province and territory.

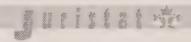


Table 1

### Legal Aid Personnel Resources by Province/Territory, 1996-97

|   |                   |                 |                        |                  |                | Direct Legal Service Staff¹ |                 |                  |                 |                |                  | Other <sup>2</sup> |              |                  |                |
|---|-------------------|-----------------|------------------------|------------------|----------------|-----------------------------|-----------------|------------------|-----------------|----------------|------------------|--------------------|--------------|------------------|----------------|
| Jurisdiction  | Total<br>Staff    | Lawyers         | % of<br>total<br>staff | al Lawyers       |                | Total                       | Lawyers         | %                | Non-<br>Lawyers | %              | Total            | Lawyers            | %            | Non-<br>Lawyers  | %              |
| Primarily Judicare New Brunswick                    | 35                | 9               | 26                     | 26               | 74             | 23                          | 8               | 35               | 15              | 65             | 12               | 1                  | 8            | 11               | 92             |
| Ontario<br>Alberta                                  | 949<br>107        | 302<br>24       | 32<br>22               | 647<br>83        | 68<br>78       | 329<br>21                   | 213<br>21       | 65<br>100        | 116             | 35             | 620<br>86        | 89<br>3            | 14           | 531<br>83        | 86<br>97       |
| Primarily Staff<br>Newfoundland                     | 96                | 45              | 47                     | 51               | 53             | 96                          | 45              | 47               | 51              | 53             |                  | -                  | -            | _                | -              |
| Prince Edward Island<br>Nova Scotia<br>Saskatchewan | 7<br>124<br>131   | 4<br>63<br>61   | 57<br>51<br>47         | 3<br>61<br>70    | 43<br>49<br>53 | 4<br>62<br>82               | 4<br>62<br>60   | 100<br>100<br>73 | -<br>-<br>22    | -<br>-<br>27   | 3<br>62<br>49    | 1                  | 2 2          | 3<br>61<br>48    | 98<br>98       |
| Mixed   |                   |                 |                        |                  |                |                             |                 |                  |                 |                |                  |                    |              |                  |                |
| Quebec<br>Manitoba<br>British Columbia              | 963<br>120<br>344 | 389<br>47<br>84 | 40<br>39<br>24         | 574<br>73<br>260 | 60<br>61<br>76 | 402<br>55<br>198            | 363<br>42<br>65 | 90<br>76<br>33   | 39<br>13<br>133 | 10<br>24<br>67 | 561<br>65<br>146 | 26<br>5<br>19      | 5<br>8<br>13 | 535<br>60<br>127 | 95<br>92<br>87 |
| Northwest Territories<br>Yukon                      | 41<br>7           | 8 4             | 20<br>57               | 33               | 80<br>43       | 26<br>4                     | 7               | 27<br>75         | 19              | 73<br>25       | 15               | 1 1                | 7 33         | 14               | 93<br>67       |
| Canada  | 2,924             | 1,040           | 36                     | 1,884            | 64             | 1,302                       | 893             | 69               | 409             | 31             | 1,622            | 147                | 9            | 1,475            | 91             |

Source: Legal Aid Survey, Canadian Centre for Justice Statistics.

Nil or zero.

.. Figures not applicable or appropriate.

Includes persons who delivered legal advice and/or legal representation directly to clients.

2 Includes persons who did not provide legal advice and/or representation directly to clients (e.g., accountants, librarians, research staff, law students and clerical staff)

#### Box 2

#### PARTICIPATION OF LAWYERS IN LEGAL AID

In 1996-97 there were 67,038 lawyers registered as practising members of the provincial and territorial bars. Approximately 24% of these lawyers provided legal aid assistance in 1996-97. This percentage has remained relatively stable over the past 10 years, fluctuating between 23% and 26%, meaning that nearly one in four practising lawyers provides legal aid services every year. Legal aid plan (staff) lawyers numbered 1,040 in 1996-97, barely changing from the 1995-96 total of 1,037. Clearly the 14,925 private lawyers who provided some type of legal aid assistance in 1996-97, represent the majority of all lawyers providing legal aid services.

#### Sources of Revenue

Legal aid plans receive funding from three main sources: government contributions, client contributions and cost recoveries, and contributions from the legal profession. Government contributions include monies from both the federal and provincial/territorial governments. Figure 1 shows that overall government funding climbed steadily from 1986-87 to 1992-93, and then levelled off. However, in the 1996-97 fiscal year, total government contributions amounted to \$496.6 million, a 9% drop from 1995-96.

Despite the drop in total actual dollar contributions from governments in 1996-97 (but an increase in provincial/territorial funding), government funding accounted for 90% of the total legal aid revenue, continuing as the major revenue source for legal aid in all jurisdictions. There are differences

#### Box 3

#### **LEGAL AID PROVIDES DUTY COUNSEL SERVICES**

The majority of legal aid services consists of providing advice, representing clients in court proceedings, representing clients in administrative matters, drawing up legal documents, and negotiating settlements. The extent of these services, especially in civil matters, differs by jurisdiction.

In addition to the basic legal aid services, most jurisdictions have a duty counsel system to advise detained persons and persons appearing in court without counsel, to guide them in obtaining legal services, and to provide on-the-spot representation, if needed. Duty counsel services are provided by staff lawyers in some jurisdictions, and by private lawyers in others. The provision of duty counsel services does not bar the recipient from subsequent application for legal aid services.

Lawyers who provide duty counsel services may be located in provincial/territorial criminal, family and youth courts. However, the extent to which they are present in these courts differs by jurisdiction.

Nova Scotia and Prince Edward Island do not have duty counsel systems as such. Staff lawyers working for the legal aid plans may advise or even represent accused persons on the spot, if necessary.

in the proportion of government funding received by the jurisdictions. In Prince Edward Island and the Northwest Territories, government funding covers 100% of legal aid plan expenditures. In contrast, government funding accounts for 82% of Alberta's legal aid funding.

The reader is invited to refer to the publication <u>Legal Aid in Canada: Description of Operations</u>, catalogue no. 85-217XDB, available in electronic format only, for more detailed information pertaining to legal aid coverage and duty counsel in each jurisdiction.

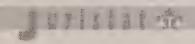
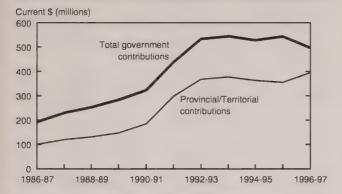


Figure 1

# Government contributions to legal aid in Canada, 1986-87 to 1996-97



Source: Legal Aid Survey, Canadian Centre for Justice Statistics.

#### Changes in provincial and territorial funding

In total, provincial and territorial government contributions for 1996-97 amounted to \$395.5 million, an 11% increase from the previous year. This follows a period of relatively little change since 1992-93. Figure 1 shows that the total provincial/territorial government funding trend generally follows the same general pattern as the total government contributions trend, until 1996-97. Although total provincial/ territorial funding expressed as a proportion of total government contributions has fluctuated since 1983-84, the trend towards increased provincial/territorial responsibility for legal aid is evident. Funding from provincial/territorial governments accounted for, on average, 48% of total government contributions from 1983-84 to 1989-90. From 1990-91 to 1996-97, this proportion increased to 59%. More specifically, in 1996-97, provincial/territorial contributions accounted for 72% of total government funding for legal aid, the highest proportion ever.

When the jurisdictions are examined on an individual basis, changes in the levels of contributions are evident. Table 2 shows that between 1995-96 and 1996-97, significant increases in provincial funding were experienced in Nova Scotia (51%), Quebec (46%), Newfoundland (43%), New Brunswick (33%), Saskatchewan (33%), Manitoba (19%) and Prince Edward Island (10%). With the exception of New Brunswick and Prince Edward Island7, the increased provincial funding in these provinces is due in large part to the termination of the Canada Assistance Plan (CAP), a federal/provincial/territorial cost-sharing agreement in existence from 1980 to March 31, 1996. The Canada Assistance Plan covered various social programs, including civil legal aid in eight provinces.8 On April 1, 1996, this program was replaced by the Canada Health and Social Transfer (CHST), a block transfer program, which allows the jurisdictions more flexibility in determining funding priorities.9 Commencing 1996-97, monies received as a result of the new CHST are included in provincial/territorial contributions, however they cannot be delineated from other provincial dollars.

In contrast, Yukon experienced a minor drop in territorial funding (3%) from the previous fiscal year. Provincial/territorial funding in Ontario, Alberta, British Columbia and the Northwest Territories remained relatively stable from 1995-96

Many governments have initiated cost-cutting measures that have resulted in the freezing or reduction in the allocation of monies to legal aid. For example, Ontario's legal aid plan has recently tightened eligibility requirements and further limited the types of cases that receive legal aid coverage.

#### Federal contributions to legal aid

Agreements are in place between the federal and provincial/ territorial governments for the cost-sharing of criminal legal aid matters, and for legal aid proceedings under the *YOA*. Provincial statute matters such as violations under liquor and traffic laws are not cost-shared.

The federal contribution by Justice Canada to criminal legal aid in 1996-97 was \$85.0 million, a 2% decrease over 1995-96. This contribution has been stable since 1989-90, when a period of several years of increases came to end.

Since the termination of the Canada Assistance Plan and the inception of the Canada Health and Social Transfer (April 1, 1996), the federal government no longer directly contributes to civil legal aid. As previously mentioned, under this new block transfer program, the provinces are now responsible for their own social program funding priorities.

#### Other sources of revenue

Client contributions and cost recoveries account for 4% of the total legal aid revenue. Client contributions refer to monies received from the individuals receiving legal aid and cost recovery money consists of the monies recovered from a judgment, award, or settlement. As a proportion of total revenue, client contributions have remained stable at 3 to 4% since the data series began in 1983-84.

Historically, contributions from the legal profession have accounted for 2 to 4% of the overall legal aid revenue. In 1996-97, it was 2% of total revenue, the same proportion since 1992-93.

Other income sources include interest from provincial law foundations, publication sales, and federal/provincial/territorial grants. In Ontario, Manitoba and Alberta, application fees ranging from \$10 to \$25 have also been instituted. However, these fees are waived if the client is unable to afford the

In 1995-96, New Brunswick did not receive CAP funding for civil legal aid (though it did in previous years). Similarly, in 1996-97, New Brunswick did not receive funding under the new CHST program. Prince Edward Island Legal Aid did not receive CAP funding, and similarly does not receive funding under CHST.

Ontario and British Columbia also received federal funding for civil legal aid under the Canada Assistance Plan. Commencing 1989-90 in both provinces, a 5% ceiling for all programs entitled to assistance under the program was imposed.

For further information on federal contributions to civil legal aid, see <u>Legal Aid in Canada: Resource and Caseload Statistics 1996-97</u> (catalogue no. 85F0015XPB).

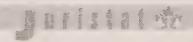


Table 2

### Provincial and Territorial Government Contributions to Legal Aid Plans, 1992-93 to 1996-97

| Jurisdiction          | 1992-93 | % change<br>from previous<br>year | 1993-94 | % change<br>from previous<br>year | 1994-95     | % change<br>from previous<br>year | 1995-96 | % change<br>from previous<br>year | 1996-97 | % change<br>from previous<br>year |
|-----------------------|---------|-----------------------------------|---------|-----------------------------------|-------------|-----------------------------------|---------|-----------------------------------|---------|-----------------------------------|
|                       |         |                                   |         |                                   | Current \$( | (,000)                            |         |                                   |         |                                   |
| Primarily Judicare    |         |                                   |         |                                   |             |                                   |         |                                   |         |                                   |
| New Brunswick         | 1,423   | -45                               | 1,824   | 28                                | 2,863       | 57                                | 2,420   | -15                               | 3,228   | 33                                |
| Ontario               | 205,100 | 25                                | 203,400 | -1                                | 195,000     | -4                                | 187,900 | -4                                | 191,096 | 2                                 |
| Alberta               | 20,000  | 48                                | 19,375  | -3                                | 16,875      | -13                               | 16,375  | -3                                | 16,140  | -1                                |
| Primarily Staff       |         |                                   |         |                                   |             |                                   |         |                                   |         |                                   |
| Newfoundland          | 2.649   | 176                               | 2,548   | -4                                | 2,595       | 2                                 | 2.579   | -1                                | 3.698   | 43                                |
| Prince Edward Island  | 284     | -1                                | 290     | 2                                 | 294         | 1                                 | 332     | 13                                | 364     | 10                                |
| Nova Scotia           | 4,164   | -                                 | 5.285   | 27                                | 5,318       | i                                 | 4.919   | -8                                | 7,406   | 51                                |
| Saskatchewan          | 3,771   | -13                               | 5,984   | 59                                | 3,020       | -50                               | 3,996   | 32                                | 5,321   | 33                                |
| Mixed                 |         |                                   |         |                                   |             |                                   |         |                                   |         |                                   |
| Quebec                | 64,486  | 5                                 | 65,378  | 1                                 | 66.124      | 1                                 | 66.437  | -                                 | 96.791  | 46                                |
| Manitoba              | 6,877   | 12                                | 7.001   | 2                                 | 7.984       | 14                                | 7,698   | -4                                | 9,154   | 19                                |
| British Columbia      | 55,800  | 51                                | 62,600  | 12                                | 59,000      | -6                                | 58,400  | -1                                | 58,400  |                                   |
| Northwest Territories | 2.592   | -11                               | 3.140   | 21                                | 3,423       | 9                                 | 3.431   | _                                 | 3,467   | 1                                 |
| Yukon                 | 579     | 14                                | 898     | 55                                | 647         | -28                               | 466     | -28                               | 454     | -3                                |
| Canada                | 367,725 | 23                                | 377,723 | 3                                 | 363,143     | -4                                | 354,953 | -2                                | 395,457 | 11                                |

Source: Legal Aid Survey, Canadian Centre for Justice Statistics.

Nil or zero

- Amount too small to be expressed.

expense. In 1996-97, these and other sources of income accounted for 3% of total revenue.

#### **Expenditures**

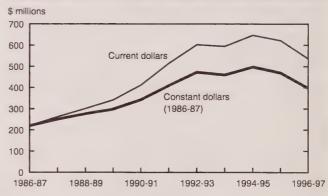
Legal aid plan expenditures amounted to \$536.1 million in 1996-97. In all jurisdictions, most of the money (\$465.1 million, or 87% overall) was spent on direct legal expenditures, which includes payments made to private lawyers as well as the costs of legal service delivery by legal aid plan staff (i.e., monies spent on the provision of legal advice, information, representation and referrals, not including central administrative expenses of the legal aid plans). The other \$71.0 million (13%) in expenditures incurred by legal aid plans were for: other program expenditures, which includes monies spent on legal research activities, public legal education and grants to other agencies; and central administrative expenditures, which include monies spent on head office functions and on offices that do not employ staff to advise and represent clients. Total expenditures steadily increased from \$219.5 million in 1986-87 to \$646.4 million (\$497.6 million in constant 1986-87 dollars) in 1994-95, (with a temporary drop in 1993-94). However, 1996-97 marks the second consecutive decrease of legal aid expenditures at the national level, dropping 14% over 1995-96 (see Figure 2). Expressed in constant (1986-87) dollars, 1996-97 spending on legal aid amounted to \$397.4 million. This represents an 81% increase over 1986-87 spending, but a 20% decrease since 1994-95 (in constant dollars).

The overall decline in expenditures from 1995-96 was the result of reduced spending in seven jurisdictions. Among those reporting decreases, Ontario experienced the largest at 24%, the result of capped government funding through to 1998-99. The most marked increases in expenditures in 1996-

97 occurred in the other two provinces employing the judicare model (New Brunswick and Alberta, with increases of 21% and 17% respectively).

Figure 2

## Total legal aid expenditures, Canada, 1986-87 to 1996-97



Source: Legal Aid Survey, Canadian Centre for Justice Statistics.

Provincial/territorial per capita expenditures vary greatly, as evident in Table 3 below. Some of the factors accounting for the variations in per capita spending are: the nature of service delivery; the socio-economic characteristics of the region; the crime rate; and population density. Servicing sparsely populated areas is a significant cost factor in the delivery of legal aid in the Northwest Territories<sup>10</sup> and Yukon.

<sup>10</sup> Expenditures for the Northwest Territories include Aboriginal Courtworker services and public legal education and information.

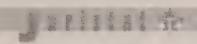


Table 3

### Per Capita Spending by Province/Territory, 1996-97

| Jurisdiction          | Per capita<br>Expenditure | % change from previous year |
|-----------------------|---------------------------|-----------------------------|
| Primarily Judicare    |                           |                             |
| New Brunswick         | \$4.74                    | 21                          |
| Ontario               | \$22.19                   | -25                         |
| Alberta               | \$8.77                    | 15                          |
| Primarily Staff       |                           |                             |
| Newfoundland          | \$9.73                    | -2                          |
| Prince Edward Island  | \$4.34                    | 8                           |
| Nova Scotia           | \$11.26                   | -5                          |
| Saskatchewan          | \$8.76                    | en en                       |
| Mixed                 |                           |                             |
| Quebec                | \$15.44                   | -6                          |
| Manitoba              | \$13.24                   | _                           |
| British Columbia      | \$25.23                   | -7                          |
| Northwest Territories | \$76.68                   | -8                          |
| Yukon                 | \$28.25                   | -21                         |
| Canada                | \$17.90                   | -15                         |

Source: Legal Aid Survey, Canadian Centre for Justice Statistics

Amount to small to be expressed.

### More money allocated to civil than criminal cases

In 1996-97, 57% of direct legal aid expenditures were for civil cases, and 43% for criminal (excluding the Northwest Territories, since this breakdown is not available). The proportionate allocation of revenues to criminal versus civil matters varies considerably by jurisdiction, as Table 4 shows. The proportion of expenditures allocated to each type of case is representative of provincial priorities. For example, in Nova Scotia, the criminal-civil expenditure proportions are essentially equal; whereas in Quebec, 67% of its expenditures are allocated to civil cases, and the remaining 33% to criminal cases. The priorities placed on the type of case have implications for who receives legal aid.

**Applications** 

The demand for legal aid in Canada is evident, in part, by the number of applications that the provinces and territories receive. The number of applications, however, does not reflect all requests for legal aid assistance, since applicants are screened to some degree before an application is filed. Applications also do not entirely reflect demand or need since some people may not even apply for aid, despite the need. Also, coverage and eligibility requirements change over time, often further imposing restrictions on the types of cases taken on by the legal aid plans.

As noted earlier, several factors are taken into consideration when assessing legal aid applications. Applicants must prove that they meet certain financial eligibility requirements, the matter meets coverage provisions, and in some cases, has legal merit. An applicant may be approved for either summary or full services. <sup>11</sup> Summary services include the provision of legal advice, information, or any other type of minimal legal service granted to an individual during a formal interview. Full services, on the other hand, constitute more extensive legal assistance. An applicant receiving full service is granted a legal aid certificate or other authorization denoting entitlement to legal services, which may include court representation, in addition to information and advice.

In 1996-97, 824,451 applications were submitted for legal aid assistance, a 15% decrease compared to 1995-96. This is even lower than the 835,270 filed in 1988-89, before the higher volumes of applications in the early nineties, with a peak of 1,171,095 applications in 1992-93. Figure 3 shows that between 1986-87 and 1992-93, the number of

Table 4

### Direct Legal Expenditures, by Province/Territory, 1996-97

| Jurisdiction  | Staff<br>Lawyers                        | % of total                 | Private<br>Lawyers                        | % of total                 | Total                                       | Criminal<br>Cases                    | % of total               | Civil<br>Cases                 | % of total               |
|---|---|----------------------------|---|----------------------------|---|--------------------------------------|--------------------------|--------------------------------|--------------------------|
|   | \$(,000)                                |                            | \$(,000)                                  |                            | \$(,000)                                    | \$(,000)                             |                          | \$(,000)                       |                          |
| Primarily Judicare<br>New Brunswick<br>Ontario<br>Alberta                         | 630<br>33,016<br>1,715                  | 20<br>16<br>8              | 2,460<br>175,370<br>19,906                | 80<br>84<br>. 92           | 3,090<br>208,386<br>21,621                  | 1,779<br>91,636<br>14,116            | 58<br>44<br>65           | 1,311<br>116,750<br>7,505      | 42<br>56<br>35           |
| Primarily Staff Newfoundland Prince Edward Island Nova Scotia Saskatchewan        | 4,949<br>438<br>7,993<br>7,787          | 89<br>74<br>80<br>94       | 596<br>155<br>1,993<br>493                | 11<br>26<br>20<br>6        | 5,545<br>593<br>9,986<br>8,280              | 3,247<br>464<br>5,030<br>5,263       | 59<br>78<br>50<br>64     | 2,298<br>129<br>4,956<br>3,017 | 41<br>22<br>50<br>36     |
| Mixed<br>Quebec<br>Manitoba<br>British Columbia<br>Northwest Territories<br>Yukon | 58,566<br>5,841<br>24,985<br>676<br>289 | 56<br>46<br>29<br>23<br>44 | 45,474<br>6,765<br>62,426<br>2,256<br>368 | 44<br>54<br>71<br>77<br>56 | 104,040<br>12,606<br>87,411<br>2,932<br>657 | 34,541<br>5,662<br>36,657<br><br>501 | 33<br>45<br>42<br><br>76 | 69,499<br>6,944<br>50,754<br>  | 67<br>55<br>58<br><br>24 |
| Canada  | 146,866                                 | 32                         | 318,216                                   | 68                         | 465,082                                     |                                      | 43                       | ••                             | 57                       |

Source: Legal Aid Survey, Canadian Centre for Justice Statistics

Note: The percentage of criminal versus civil cases for Canada as a whole excludes the Northwest Territories, as this breakdown is unavailable.

. Figures not available

<sup>11</sup> Total and refused application counts presented here, include both summary and full service applications, whereas approved applications refer to full service applications only.

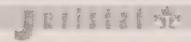
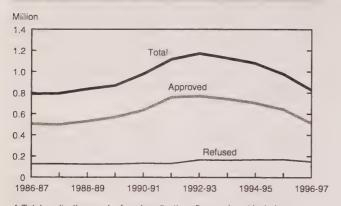


Figure 3

### Legal aid applications<sup>1, 2</sup>, approved and refused, Canada, 1986-87 to 1996-97



<sup>1</sup> Total applications and refused applications figures do not include Prince Edward Island, since only records of approved applications are kept.

<sup>2</sup> The sum of approved and refused applications may not equal the total applications count for two reasons: (i) a decision to accept or reject an application may not occur in the time period the application is made; (ii) approved applications include full service applications only, whereas the total application counts is the sum of applications approved for service, including full and summary service, and refused applications.

Source: Legal Aid Survey, Canadian Centre for Justice Statistics.

applications submitted to legal aid plans in Canada<sup>12</sup> had been steadily increasing, but in 1993-94 a downward trend began. A number of factors specific to the plans themselves may account for this recent decline, such as: application fees; pre-screening procedures and further restrictions to the types of cases that receive legal aid coverage; and stricter

eligibility requirements implemented in certain jurisdictions. These factors and others could contribute to the downward trend in the number of applications for legal aid.

### Budget cuts mean fewer applications are approved

Fewer people are applying for legal aid, and even fewer applications are being approved for full service. In 1996-97, there were 510,914 applications approved for legal aid in Canada. This number reflects a 21% drop from the previous year and marks a four-year downward trend in approval numbers and rates. Overall, 62% of total legal aid applications were approved for full service. Table 5 indicates that Saskatchewan and Yukon had the highest approval rates, both approving 93% of total applications in 1996-97.

Recent cost-cutting measures introduced in some jurisdictions have left legal aid plans with smaller budgets, often necessitating cuts to the number of approved legal aid applications. For example, Nova Scotia is in its final year of a four-year budget reduction program that included cutting the number of approved cases. The Northwest Territories has reduced coverage for family and other civil cases.

### More civil applications approved overall

Table 5 indicates that civil cases account for slightly over half of approved cases at the Canada level. This is due to the fact that the two largest provinces, Ontario13 and Quebec.

Total application figures do not include Prince Edward Island since only counts of approved applications are maintained.

Table 5

## Applications for Legal Aid, by Province/Territory, 1996-97

| Jurisdiction          | Total        | Annroyad                 | %        |          | Approved | Applications |    |
|-----------------------|--------------|--------------------------|----------|----------|----------|--------------|----|
|                       | Applications | Approved<br>Applications | Approved | Criminal | %        | Civil        | %  |
| Primarily Judicare    |              |                          |          |          |          |              |    |
| New Brunswick         | 2,522        | 1,629                    | 65       | 1.487    | 91       | 142          | 9  |
| Ontario <sup>1</sup>  | 307,315      | 111,889                  | 36       | 51,347   | 46       | 60.542       | 54 |
| Alberta               | 35,659       | 28,014                   | 79       | 20,853   | 74       | 7,161        | 26 |
| Staff                 |              |                          |          |          |          |              |    |
| Newfoundland          | 18,097       | 10,880                   | 60       | 7,823    | 72       | 3,057        | 28 |
| Prince Edward Island  |              | 1,210                    |          | 1,134    | 94       | 76           | 6  |
| Nova Scotia           | 21,661       | 16,529                   | 76       | 9,737    | 59       | 6,792        | 41 |
| Saskatchewan          | 23,027       | 21,339                   | 93       | 15,520   | 73       | 5,819        | 27 |
| Mixed                 |              |                          |          |          |          |              |    |
| Quebec <sup>2</sup>   | 284.537      | 241.678                  | 85       | 86,776   | 36       | 154.902      | 64 |
| Manitoba              | 23.867       | 18.349                   | 77       | 9,283    | 51       | 9.066        | 49 |
| British Columbia      | 103,406      | 56,018                   | 54       | 31,226   | 56       | 24,792       | 44 |
| Northwest Territories | 2,889        | 2.007                    | 69       | 1,595    | 79       | 412          | 21 |
| Yukon                 | 1,471        | 1,372                    | 93       | 1,079    | 79       | 293          | 21 |
| Canada                | 824,451      | 510,914                  | 62       | 237,860  | 47       | 273,054      | 53 |

Source: Legal Aid Survey, Canadian Centre for Justice Statistics

Note: The total applications figure for Canada does not include Prince Edward Island, since only records of approved applications are kept.

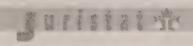
In 1996-97, Ontario received 110,628 applications for full service, of which 74,792 (68%) were approved.

Approved applications include summary services in Quebec.

Figures not available

<sup>13</sup> It should be noted that the higher proportion of approved civil cases in Ontario is due to the fact that applications for services from community clinics have been included. These clinics handle strictly civil cases.

Figures not appropriate or not applicable.



approve more applications for civil cases than criminal cases. The other jurisdictions approved more criminal applications than civil, except in Manitoba where the civil-criminal split was fairly even.

These differences can be explained by the coverage requirements that each jurisdiction adopts in their legal aid plans. For example, Quebec provides for much broader coverage of civil cases than most of the other jurisdictions. This coverage includes applications for income security, auto and employment insurance, and workers compensation. Prince Edward Island, on the other hand, extends coverage to few civil cases. Table 5 indicates that in Quebec, 64% of approved applications are civil cases, as opposed to 6% in Prince Edward Island. These proportions clearly indicate that the legal aid plans in each province and territory have different priorities and demands.

### Fewer applications refused

The number of refused applications also decreased in 1996-97, totalling 149,598 compared to 170,023 in 1995-96. This constitutes a 12% drop in the number of refused applications. However, it is important when evaluating the numbers of total and refused applications to consider the effects that pre-screening may have on the numbers of applications for legal aid services. Pre-screening often lowers the numbers of both the total and refused applications because individuals are refused legal aid before formally applying for legal assistance.

### Reduced Need for Legal Aid?

Declining rates in legal aid applications certainly reflect reduced budgets. However, to what extent do they suggest a reduced need for aid? Since the legal aid survey does not measure "need", it is not possible to answer the question directly. Many factors likely influence the decision of potential legal aid clients to seek assistance - knowledge that legal aid exists, their perception of success in obtaining it, and its availability in their community, for example. Because a significant portion of legal aid expenditures is spent on criminal matters, broader criminal justice indicators such as decreasing crime rates and court caseloads may suggest a reduced demand for service, everything else being equal. Similarly, since legal aid is targeted at low-income Canadians, economic indicators such as levels of unemployment or income levels may be useful to examine.

Such complex analysis is outside the scope of this report. However, some of these justice and economic indicators are presented as background information. Some of the trends are consistent with the notion of decreased need. For example, as seen in Figure 4, crime rates (for adults and youths) have decreased in recent years. There has also been a decline in the criminal court cases for youths and adults. Also, the unemployment rate has generally declined since 1992, as shown in Figure 5.

However, other trends are consistent with an increased need for legal aid. Data from the 1996 Survey of Consumer Finances indicate that between 1988 and 1995, the average

Figure 4

### Rates of Criminal Code incidents<sup>1</sup>, Canada, 1986-1996

Rate per 100,000 population

11,000

9,000

8,000

7,000

1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996

1 Rates include both youth and adult incidents.

Source: Kong, Rebecca. "Canadian Crime Statistics, 1996," Juristat Vol. 17 No. 8, Statistics Canada.

Figure 5

### Labour force statistics, unemployment rate<sup>1</sup>, Canada, 1986-1997



<sup>1</sup> The unemployment rate is expressed as a percentage of the labour force for both sexes, 15 years and over.

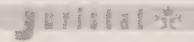
Source: Labour Force Survey, Household Surveys Division.

income of Canadians (in constant 1995 dollars) decreased. More specifically, between these years, the average after-tax income for the 20% of the population in the lowest income group has decreased 3%. Although data are not available to support a trend, it has been suggested by legal professionals in Ontario, that the number of persons appearing in courtrooms without legal representation is increasing, further suggesting a growing need for legal aid services.<sup>16</sup>

15 Information on civil cases is unavailable.

<sup>&</sup>lt;sup>14</sup> Refused applications counts exclude Prince Edward Island since only counts of approved applications are maintained.

Judge Lynn King, Ontario Court, Provincial Division in "Legal aid austerity has lawyerless clogging Ontario courts", by Kirk Makin, <u>The Globe and Mail</u>, January 10, 1997 and Rosemary Hnatiuk, spokeswoman for the Law Society of Upper Canada in "The dilemma for legal aid", by Salem Alaton, <u>The Globe and Mail</u>, August 27, 1996.



Other factors not examined here, such as population growth, changes in family structure, changes in the population receiving social assistance, the rapid growth of immigration, the availability of affordable housing, and so on, may also play a role in the need for legal aid. Establishing a connection between these factors and the need for legal aid would be very complex. As a result, it is not currently possible to determine the need for legal aid and how it may or may not be changing over time.

## Methodology

Data from this *Juristat* are obtained from the Legal Aid Survey, conducted annually since 1983-84, by the Courts Program, Canadian Centre for Justice Statistics. The objective of this census survey is to provide revenue, expenditure, personnel, and caseload statistics associated with the delivery and administration of legal aid in Canada. Data are collected and presented at the aggregate provincial/territorial level.

Data collection for all but a few data elements is administered through a survey questionnaire to the twelve legal aid plans in Canada. Data on provincial/territorial government financial contributions are obtained from the appropriate department responsible for justice matters (i.e., the provincial/territorial department of justice or attorney general). Justice Canada provides the federal contributions for criminal legal aid figures. In earlier years, during the existence of the Canada Assistance Plan, figures for federal contributions for civil legal aid were obtained from Human Resources Development Canada. Data on provincial and territorial Bar membership are requested from the Federation of Law Societies of Canada.

Two annual reports are produced from the Legal Aid Survey. Legal Aid in Canada: Resource and Caseload Statistics, (catalogue no. 85F0015XPB), contains five-year time-series data on: revenue, by source of funding; provincial/territorial and federal contributions; legal aid expenditures; payments to private law firms, or fees paid for private lawyers' services; direct legal service expenditures, by type of legal matter, by staff or private lawyers; personnel resources, by type of staff; duty counsel services; and civil and criminal caseload characteristics (total, approved and refused applications) by type of legal matter.

The qualitative report, *Legal Aid in Canada: Description of Operations* (catalogue no. 85-217XDB), describes the structure and administration of provincial/territorial legal aid services in Canada. It also includes information on legislation, organization, coverage, eligibility, duty counsel and tariffs. Lists of resource persons and legal aid office locations are also provided. This report is available in electronic format only, as a .pdf (Acrobat) file.

**Note:** To adjust for the effect of inflation, constant 1986-87 dollar figures have been calculated using the indexed changes in year-to-year revenues and expenditures for goods and services as reported by Statistics Canada's *The Consumer Price Index*, Catalogue No. 62-001.

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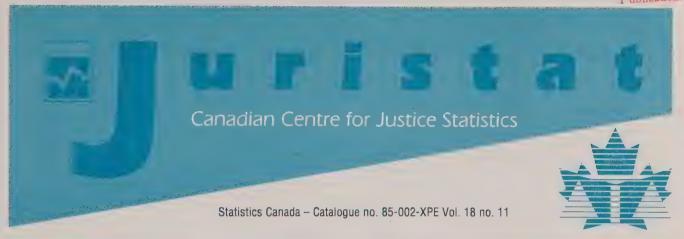
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### 1997

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## **CANADIAN CRIME STATISTICS, 1997**

by Rebecca Kong

## **Highlights**

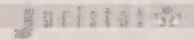
- In 1997, Canada's police-reported crime rate decreased for the sixth year in a row, falling 5%. This resulted in the lowest rate since 1980.
- The rate of violent crime declined for the fifth consecutive year, down 1.1% in 1997. These recent declines follow 15 years of consecutive increases.
- Rates decreased for almost all violent offences, including sexual assault (-0.9%), robbery (-8%) and homicide (-9%). There were 581 homicides in 1997, 54 fewer than in the previous year.
- Property crime dropped 8%, continuing the general decline evident since 1991 and marking the largest year-over-year decrease since these statistics were first collected in 1962.
- After steadily increasing for over a decade, the rate of motor vehicle theft finally turned downward (-3%). A decline in the rate of residential breaking and entering (-5%) followed two years of growth.
- The rate of youths charged with *Criminal Code* offences fell 7%, continuing the general decline seen since 1991. This drop was due to a large decrease in the rate of youths charged with property crime (-12%). The rate of youths charged with violent offences declined (-2%) for the second year in a row.
- Rates of violent crime decreased in 16 of the 25 census metropolitan areas (CMAs). Rates were lowest in Sherbrooke and Trois-Rivières and highest in Thunder Bay and Regina. Regina also reported the largest increase in violent crime in 1997 (+29%).
- Only three CMAs reported an increase in the rate of property crime in 1997: Chicoutimi-Jonquière (+10%), Halifax (+1.6%) and Trois-Rivières (+1.2%). Rates were highest in Regina and Vancouver and lowest in Saint John (New Brunswick) and Québec.



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July 1998 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

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### Introduction

Every year since 1962, Canada's police agencies have reported criminal incidents that come to their attention to the Uniform Crime Reporting (UCR) survey. This report is an examination of the 1997 reported crime. Data are presented within the context of both short and long term trends.

Analyses in this report focus on trends in violent crime, property crime, impaired driving offences, drug offences and youth crime. Crime rates are examined at the national, provincial/territorial and major metropolitan levels. The trend in Canada's crime rate is put into perspective by comparing it with crime trends in other industrialized countries.

The Canadian Centre for Justice Statistics gratefully acknowledges the assistance of Canada's police agencies and of the Canadian Association of Chiefs of Police in making this report possible.

### Interpreting police-reported crime data

Data on incidents that come to the attention of police are captured and forwarded to the Canadian Centre for Justice Statistics (CCJS) according to a nationally-approved set of common scoring rules and definitions. The reader should note, however, that many factors could influence official crime statistics. These include: reporting by the public to the police; reporting by police to the CCJS; and, the impact of new initiatives such as changes in legislation, policies or enforcement practices.

Reporting to police

It can be argued that official crime statistics merely reflect Canadians' willingness to report criminal activity to police. There are many reasons why victims may not report these incidents to police. Estimates of unreported crime are available from victimization surveys, such as the 1993 General Social Survey (GSS)¹ and the 1995 International Criminal Victimization Survey (ICVS).² Mirroring the trends in police-reported data, results from victimization surveys show recent decreases in criminal victimization among Canadians. Overall, victimization rates in Canada fell 11% between 1991 and 1995 compared to a 14% decrease in the police-reported crime rate.

While under-reporting to police can negatively affect official crime statistics, the opposite is also true: as the tolerance for certain crimes lowers, reporting to police will increase, driving crime statistics upward. For example, increased education in the areas of family violence, sexual assault and youth crime have lowered society's tolerance for these behaviours which, in turn, may encourage victims and witnesses to report to police.

Reporting by police to the CCJS

Crimes reported to the CCJS by police agencies are subjected to numerous quality-control procedures, both on-site at the police agency and at the CCJS. The CCJS and police agencies work together on an on-going basis to detect and resolve any difficulties in the reporting or transmission of data. For example, during the processing of Toronto's 1997 crime data, an error was identified that affected crime counts back to 1996. After working closely with Toronto Police, the problem was resolved and the 1996 data were revised accordingly. Please refer to the methodology section for more details on revisions to 1996 data.

In addition, concerns have been raised that tighter budgets are diminishing the ability of some police agencies to respond to, and document, all incidents reported

The General Social Survey is conducted by Statistics Canada. See "Trends in Criminal Victimization, 1988-1993" by Rosemary Gartner and Anthony Doob in Juristat (catalogue no. 85-002, vol. 14, no. 13).

For further information, refer to "Criminal Victimization: An International Perspective" by Sandra Besserer in Juristat (catalogue no. 85-002XPE/F, vol. 18, no. 6). See the methodology section at the end of this report for a brief description of the survey.

to them, a situation that may also result in a loss of UCR coverage. While it has been suggested that this may have contributed to the recent declines in the crime rate, these decreases have applied equally to serious crimes (those which are less prone to non-recording by police) and to less serious crimes. Moreover, a comparison of trends among police agencies shows that agencies across all provinces/territories have been experiencing decreases in crime.

### Changes in legislation, policies and practices

Changes in legislation, policies and police enforcement practices may also have an impact on police-reported statistics. For instance, where an amendment to the *Criminal Code* creates a new offence or broadens the definition of an existing one, the number of incidents reported to police will likely increase.

For certain crimes, the rise and fall of statistics is driven largely by police enforcement. Crimes such as prostitution, drug offences and impaired driving are most often identified through police-enforcement, or "proactive" policing, and are rarely reported by the public. Therefore, police enforcement efforts, such as special operations to target prostitution, the drug trade and impaired driving will affect official crime statistics.

Some police agencies attribute recent declines in local crime rates to community-based policing or to new strategies initiated to reduce certain crimes. The concept of communitybased policing revolves around the idea that police should move toward a proactive approach, including working with individuals and businesses in the community to address community problems and concerns. Critics, however, suggest that rates of reporting to police may decrease as some community-based policing programs require complainants to appear in person at the community police centres to file a report. On the other hand, focusing on community problems may result in improved police responses to minor violations or in increased reporting by members of the community, both of which can increase a police agency's crime statistics. While community-based policing can have an impact on policereported crime statistics, the direction and size of the impact are difficult to assess. Aside from community policing, some police agencies attribute declines in certain crimes to improved case management and new approaches to resolving and preventing crime.

#### Key terminology and definitions

Throughout this report, the terms "crime" and "crime rate" refer to total police-reported Criminal Code "actual" incidents, excluding traffic crime, unless noted otherwise. "Actual" incidents are those which have been substantiated through police investigation. It is also important to note that, for incidents involving multiple offences, only the most serious offence in the incident is counted. Unless otherwise stated, violent crime counts reflect the number of victims in the incidents or occurrences of crime. Crime rates are based on 100,000 population (see Table 9 for population estimates used). Please refer to the Methodology section for further details on the UCR survey.

### 1997 Crime Trends

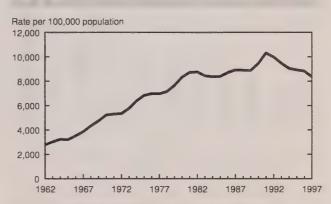
#### Lowest crime rate since 1980

Of the 2.5 million *Criminal Code* incidents (excluding traffic incidents) reported in 1997, 12% were violent crimes, 58% were property crimes, and 30% were other *Criminal Code* crimes (e.g. mischief, prostitution, arson, bail violations, disturbing the peace). In addition, there were approximately 155,000 *Criminal Code* traffic incidents (mostly impaired driving), 67,000 drug incidents and 35,000 other federal statute incidents (e.g. *Excise Act, Immigration Act, Canada Shipping Act*) reported. In total, there were 2.8 million federal statute incidents reported to police (Table 5).

After peaking in the early 1990s, Canada's crime rate has been falling steadily. In 1997, the police-reported crime rate dropped for the sixth consecutive year (-5%) (Table 1). Over these six years, the crime rate has decreased by 19%, making the 1997 rate the lowest since 1980 (Figure 1). Compared to twenty years ago, however, the 1997 crime rate is 20% higher, and it is up almost 120% from thirty years ago. Over the last few decades, amendments to Canada's definition of criminal behaviour and changes in our tolerance for certain crimes may have influenced reporting to police.

Figure 1

### Crime Rate, Canada, 1962-1997



**Source:** Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada

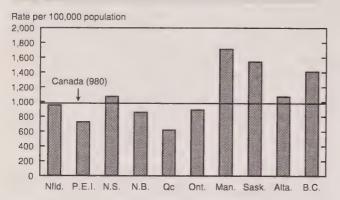
## Crime rate down across majority of provinces and census metropolitan areas

There is considerable regional variation in the distribution of reported crime across Canada. Historically, crime rates in the Atlantic provinces and Quebec have been lower than those in Ontario, which in turn have been lower than rates in the Western provinces. Since 1993, however, this pattern has changed, with Alberta reporting much lower crime rates than its neighbouring provinces (Figures 2a, 2b). Crime rates in the Northwest Territories and the Yukon Territory are usually higher than those in the provinces (Table 2).



Figure 2a

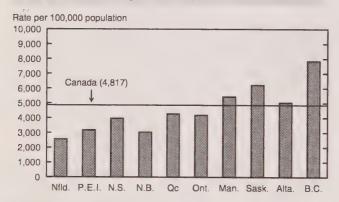
## Violent crime, Canada and the provinces, 1997



**Source:** Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada

Figure 2b

## Property crime, Canada and the provinces, 1997



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada

In 1997, provincial crime rates ranged from a low of 5,571 incidents per 100,000 population in Newfoundland to 12,870 per 100,000 in British Columbia (Table 2). Except for Saskatchewan (+4%) and Alberta (+1.8%), all other provinces followed the national trend of a declining crime rate in 1997. The crime rate in Saskatchewan has been increasing since 1994. The growth in Alberta for 1997, on the other hand, followed five years of declines, three of which were large declines. Prince Edward Island reported the largest provincial decrease in 1997 (-10%). Ontario, which accounts for almost four-tenths of Canada's population, reported a drop of 9%.

Declining crime rates were also the norm in most of the census metropolitan areas (CMAs).<sup>3</sup> Rates grew in only 4 of the 25 CMAs: Chicoutimi-Jonquière (+5%), Saskatoon (+4%), Edmonton (+2%) and Trois-Rivières (+1.7%) (Table 3). The largest decreases were reported in Ottawa<sup>4</sup> (-15%), Saint John (New Brunswick) (-13%), Vancouver (-12%) and

Québec (-12%). Rates also fell in the nation's two largest CMAs: Toronto (-8%) and Montréal (-6%) (Tables 3 and 4). Compared to five years ago, crime rates in most CMAs have fallen (Table 3). In 1997, Québec continued to report the lowest crime rate while Regina reported the highest.

### Revisions to 1995 and 1996 data: Winnipeg and Toronto

Winnipeg – During 1997, the Winnipeg Police discovered an underrecording of crime that had been occurring since 1995. The problem was resolved for 1997 and Winnipeg subsequently revised their 1995 and 1996 data and re-submitted them to the CCJS. Last year, the CCJS reported that the crime rate for the Winnipeg municipal police had decreased 7% from 1995 to 1996, but with the revised 1995 and 1996 data, the decrease is only 1%. Analyses at the national, provincial and CMA level in this *Juristat* reflect these revisions.

Toronto – During the processing of 1997 data from the Metro Toronto Police, an error was uncovered that affected data back to 1996. The problem was resolved and 1996 data have been re-processed. Last year, the CCJS reported that the crime rate for the Toronto municipal police had decreased 9% from 1995 to 1996, but with the revised data, the decrease has changed to 5%. Analyses at the national, provincial and CMA level in this *Juristat* reflect these revisions to 1996 data.

For more details, please refer to the methodology section.

### Crime also falling in the U.S and in England & Wales

Other countries have also experienced recent declines in their crime rates. The Federal Bureau of Investigation reported that the indexed crime<sup>5</sup> rate in the United States had dropped 4% in 1997, including a 5% decrease in violent crime and a 4% decline in property crime. Decreases were reported for all indexed offences including murder (-9%), robbery (-9%), motor vehicle theft (-5%) and burglary (-3%). Moreover, the crime rate in England and Wales has fallen annually since 1992, including a 9% decrease in 1997.

## While the crime rate is down, so is the number of young people in Canada

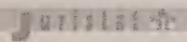
The field of criminology holds a wealth of research on factors that can influence the level of crime in society. For instance, studies of criminal behaviour suggest that young people are at higher risk of engaging in criminal activity and that the prevalence of offending increases to a peak in teenage years and then decreases during one's twenties.<sup>6</sup> While Canada's crime rate has declined in recent years (i.e. 1992 to 1997), the number of persons aged 15 to 24 in the population has remained at a low point. From 1986 to 1991, the number of

4 "Ottawa" in this report refers to the Ontario portion of the Ottawa-Hull CMA.

<sup>&</sup>lt;sup>3</sup> A CMA refers to a large urban core (over 100,000 population) together with adjacent urban and rural areas that have a high degree of economic and social integration. The areas that police forces serve may differ in their mix of urban/ suburban populations, making the comparability of crime rates among these forces difficult. This lack of comparability is addressed by analyzing crime rates by CMA. Usually, more than one police force is responsible for enforcing the law within the boundaries of a CMA.

The U.S. Crime Index is composed of the violent crimes of murder, non-negligent manslaughter, forcible rape, robbery and aggravated assault (not common assault), and the property crimes of burglary, larceny-theft, motor vehicle theft and arson.

For instance, Gottfredson and Hirschi. A General Theory of Crime. Stanford U. Press: Stanford, 1990 and; Farrington, David P. "The Explanation and Prevention of Youthful Offending" in David J. Hawkins (ed.) Delinquency and Crime: Current Theories. Cambridge University, 1996, p.74.



young people in this age group dropped steadily from 4.5 million to 4.1 million, a level at which it remains today. In addition, Canada's population is ageing. Compared to 1986, the population aged 55 and older has grown from 5.1 to 6.5 million and is projected to continue growing, possibly reaching 8.1 million by the year 2006.

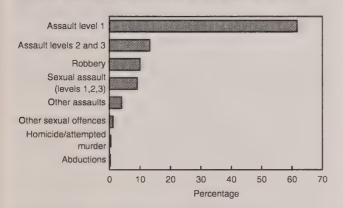
### **Violent Crime**

### Violent crime continues to drop, yet...

Violent criminal incidents (296,737 in 1997) include homicide, attempted murder, assault, sexual assault, other sexual offences, abduction and robbery (Figure 3). Violent crimes comprised 12% of *Criminal Code* offences in 1997, an increase from 9% a decade ago.

Figure 3

### Violent crime categories, Canada, 1997



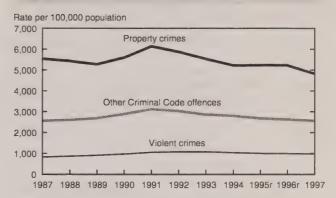
Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada

The violent crime rate declined by 1.1% in 1997, marking the fifth consecutive annual decrease (Table 1, Figure 4). Prior to these declines, the violent crime rate increased for 15 straight years. Much of this increase is directly attributable to a large increase in the rate of common assaults (level 1), the least serious form of assault, which accounts for 6 in 10 violent crimes. Compared to 1987, the 1997 violent crime rate is 19% higher. If the category of common assault is excluded from total violent crime, the increase drops to only 4%.

Among the provinces, Manitoba, Saskatchewan and British Columbia reported the highest rates of violent crime and Quebec the lowest (Figure 2a), a pattern consistent with previous years. The rate of violent crime grew only in Saskatchewan (+15%), Alberta (+6%) and Manitoba (+1.6%) in 1997 (Table 2). Growth in Saskatchewan was fuelled by increases in the CMAs of Regina (+29%) and Saskatoon (+7%) (Table 3). Similarly, the increase in Alberta is a reflection of increases in the CMAs of Calgary (+8%) and

Figure 4

## Violent, property and other Criminal Code incidents, Canada, 1987-1997



**Source:** Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada

Edmonton (+4%). The only other CMA to experience a notable increase in violent crime was Saint John (+10%), although the rate for New Brunswick declined. Violent crime rates decreased in 16 of the 25 CMAs, with the largest drop reported in Chicoutimi-Jonquière (-14%).

Thunder Bay reported the highest rate of violent crime (1,810 incidents per 100,000 population), followed by Regina (1,638), Winnipeg (1,456), Saskatoon (1,397) and Victoria (1,385). The rate was lowest in Sherbooke (410) and Trois-Rivières (488).

#### ...some Canadians remain fearful and concerned

Despite the recent drops in violent crime in most of the country, some Canadians remain fearful. Findings from the 1995 International Crime Victimization Survey show that 25% of Canadians reported feeling "a bit unsafe" or "very unsafe" when walking alone in their neighbourhood after dark. This is up from the 20% who expressed these feelings in the 1991 ICVS. However, as the rate of crime varies across the provinces, so too may the levels of fear and concern about crime.

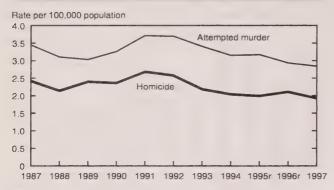
### Homicides continue to decline

Homicide includes first and second-degree murder, manslaughter, and infanticide. In 1997, there were 581 homicides and 861 attempted murders (Table 5). Together these crimes continue to account for less than 1% of reported violent incidents. The homicide rate has generally been declining since the mid-1970s and is at the lowest point since 1969. In 1997, this trend continued with a 9% drop in the rate (54 fewer homicides than in 1996). The rate of attempted murders (2.8 per 100,000) also fell in 1997 (-3%), generally following the trend in the rate of murder (Figure 5).

Statistics Canada. Population Projections for Canada, Provinces and Territories, 1993-2016 (catalogue no. 91-520), December 1994.

Figure 5

## Homicide and attempted murder incidents, Canada, 1987-1997



**Source:** Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada

The homicide rate dropped in 14 of the 25 CMAs. Rates were highest in Saskatoon (3.59 incidents per 100,000 population), Halifax (3.15) and Edmonton (3.00), and were lowest in Chicoutimi-Jonquière (no homicides), Kitchener (0.69) and London (0.71).

The number of homicides committed with a firearm decreased 10% from the previous year. Consistent with the trend since 1979, firearm homicides accounted for one-third (33%) of all homicides in 1997. Other methods used to commit homicide included stabbing (29%), beating (20%), strangulation/suffocation (9%), smoke inhalation/burns (5%) and poisoning (1%).

As has been the case in the past, the large majority of victims knew their killers. Of the homicides where an accused was identified, 44% of the victims were killed by an acquaintance, 42% by a spouse or other family member, and 13% by a stranger.

### Robberies down after increasing two years in a row

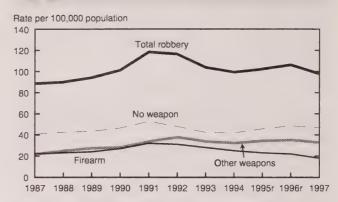
The 29,590 robberies in 1997 accounted for 1 in 10 violent crimes. After increasing two years in a row, the rate of robbery decreased 8% in 1997 (Table 5). Despite decreases in the early 1990s, the rate of robbery has been generally increasing during the last ten years, up 10% from 1987 (Figure 6).

Fewer robberies now involve firearms. The rate for this type of robbery has generally been falling since 1991, including a 20% decrease in 1997. Over these six years, the rate has dropped by 41%. Robberies involving weapons other than firearms (e.g., knives) have shown the largest rate increases in the last decade, even though the rate dropped in 1997 (-7%). Compared to ten years ago, the rate is over 50% higher, increasing an average of 5% annually. Robberies with no weapons decreased in 1997 (-3%) after two years of growth. Over 4 in 10 robberies involve no weapons.

The rate of robbery grew in only 8 of the 25 CMAs. Rates of robbery were highest in Winnipeg (295 incidents per 100,000

Figure 6

### Robbery incidents, Canada, 1987-1997



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada

population) and Vancouver (240), and lowest in St. John's (Newfoundland) (22), Saint John (New Brunswick) (22) and Chicoutimi-Jonquière (32).

Compared to other violent crimes, robbery is more likely to involve youths. In 1997, 38% of persons charged with robbery were youths compared with only 15% of persons charged with other violent crimes (Table 7).

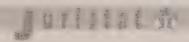
#### 1997 UCRII (Incident-based) Data File

The revised UCR survey captures detailed information on individual criminal incidents reported to police, including characteristics of victims, accused persons and the incidents. The survey presently collects data from 179 police agencies in six provinces. These data represent 48% of the national volume of actual *Criminal Code* crimes. The reader is cautioned that these data are not nationally representative: respondents from Quebec account for 41% of the sample and those from Ontario account for a further 33%. Outside of Quebec, these data are largely an urban sample. Please refer to the methodology section for more information. All calculations exclude records where the variable under study is reported as unknown, unless otherwise mentioned.

#### Sexual assaults drop for the fourth straight year

Sexual assaults accounted for almost 1 in 10 violent crimes in 1997. Sexual assault is classified into one of three levels according to the seriousness of the incident: level 1 sexual assault (the category of least physical injury to the victim); level 2 sexual assault (with a weapon, threats to use a weapon, or causing bodily harm); and, level 3 aggravated sexual assault (wounds, maims, disfigures or endangers life of victim). In 1997, the rate for each level of sexual assault decreased (Table 5).

There were 27,063 reported incidents of sexual assault in 1997, most of which (97%) were classified by police as level 1. In 1997, the rate of total sexual assaults decreased 0.9% (Table 5). Although this marked the fourth consecutive decline, it was much smaller than decreases reported in



previous years. While the 1997 rate was 26% lower than five years ago, it was still 6% higher than a decade ago.

Rates of sexual assault decreased in 14 of the 25 CMAs. The rate of sexual assault was highest in Saint John (New Brunswick) (198 incidents per 100,000 population) and St. John's (Newfoundland) (162), and was lowest in Sherbrooke (34) and Trois-Rivières (36).

According to a sample of police departments, the vast majority of victims of sexual assault were female (84%) (Table 6). Female victims were most frequently victimized by a casual acquaintance (33%), followed by a family member including a spouse/ex-spouse (27%) and a stranger (23%). Victims of sexual assault tended to be quite young with almost 60% of victims younger than 18 years old. The median<sup>8</sup> age for females was 17 years. Male victims tended to be much younger (median age of 11 years) and were also most frequently victimized by a casual acquaintance (e.g. neighbour) (42%), a family member (29%) or a stranger (13%). Young girls (12 and under) had most frequently been sexually assaulted by a family member (49%) while boys of the same age were equally attacked by a casual acquaintance (39%) and a family member (39%).<sup>9</sup>

### Assaults stable after three years of decline

The most frequently reported category of violent crime is assault. The *Criminal Code* defines several categories of assault: common assault (level 1), assault with a weapon or causing bodily harm (level 2), aggravated assault (level 3), and other assaults (i.e., assault on peace officer, unlawfully causing bodily harm, discharge of firearm with intent and other assaults). Common assault accounts for almost 8 in 10 assaults and 6 in 10 reported violent incidents. It includes behaviours such as pushing, slapping, punching, face-to-face verbal threats, and threats by an act or gesture.

In 1997, police recorded 222,210 incidents of assault levels 1, 2 and 3 (Table 5). After decreasing three years in a row, the rate of assaults remained unchanged in 1997. This stability was due to little change in the rate of common assault (-0.3%) and a small increase in assault with a weapon (+1.7%). Aggravated assault continued to decrease, falling for the sixth year in a row (-5%).

The rate of assault (levels 1, 2, 3) dropped in 15 of the 25 CMAs. Despite showing a drop of 7% in 1997, Thunder Bay reported the highest rate (1,517 incidents per 100,000 population), followed by Regina (1,195). Rates were lowest in Sherbrooke (284) and Trois-Rivières (310).

Unlike sexual assaults, victims of assault were as likely to be male as female (Table 6). Females, however, accounted for more victims of common assault (53%) and males accounted for more victims of assault with a weapon and aggravated assault (66%). Overall, the median age of victims of assault was 28 years; males were somewhat younger than females (26 years compared to 29 years) (Table 6). Females had most often been assaulted by a spouse (43%) or an acquaintance

(18%). Among male victims, their assailants had most often been strangers (39%), followed by acquaintances (34%). Children under 18 years assaulted by parents accounted for 3% of all assault victims. However, the secrecy surrounding child abuse and the powerlessness of young children means that these incidents often go unreported to police.

## Sample of police agencies shows presence of weapons in violent crime declining

Between 1993 and 1997, the presence of weapons in violent incidents decreased. While firearms were present in 6.8% of violent incidents reported by a sample of 61 police forces in 1993, by 1997 they were present in only 5.1%. The presence of clubs/blunt instruments declined from 7.6% to 6.5%, and the presence of knives decreased from 9.6% to 9.1%.

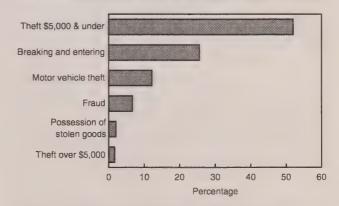
## **Property Crime**

### Property crime rate continues to drop

Property incidents involve unlawful acts with the intent of gaining property but do not involve the use or threat of violence. Theft, breaking and entering, fraud and possession of stolen goods are examples of property crimes (Figure 7). In 1997, there were approximately 1.5 million property crime incidents. The property crime rate has generally been decreasing since 1991, including an 8% drop in 1997. The 1997 rate was 18% lower than the rate recorded five years ago and 13% lower than ten years ago (Table 1).

Figure 7

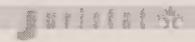
## Property crime categories, Canada, 1997



**Source**: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada

The median value is the one in the middle when a set of values is arranged in order from highest to lowest.

For further information, refer to "Children as Victims of Violent Crime", by Robin Fitzgerald in Juristat (catalogue 85-002 XPE/F, vol. 17, no. 11).



Rates of property crime dropped in all ten provinces in 1997. Ontario (-11%), British Columbia (-11%) and Prince Edward Island (-10%) experienced the largest declines, with Alberta (-1.0%), Nova Scotia (-1.5%) and Saskatchewan (-1.7%) reporting the smallest decreases (Table 2). Despite decreasing in 1997, British Columbia's property crime rate continues to rank the highest among the provinces (Figure 2b). Newfoundland reported the lowest rate.

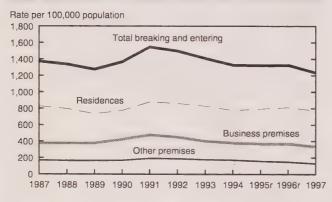
Of the 25 CMAs, all but 4 reported declines with Saint John (New Brunswick) showing the greatest drop (-18%). Declines of ten percent or more were experienced by Ottawa (-16%), Québec (-14%), Vancouver (-13%), Sudbury (-11%), Windsor (-11%) and Victoria (-10%) (Table 3). Rates increased only in Chicoutimi-Jonquière (+10%), Halifax (+1.6%) and Trois-Rivières (+1.2%); the rate for Saskatoon remained stable (-0.1%). Regina reported the highest rate of property crime, despite a decrease in 1997, and Saint John (New Brunswick) reported the lowest.

### Rate of breaking and entering continues to fall

In total, there were 373,355 reported incidents of breaking and entering (B&E) in 1997, representing one-quarter of property crimes (Table 5). In general the B&E rate has been falling since 1991 (Figure 8), including a 7% decrease in 1997. Four in ten persons charged with this offence were youths (Table 7).<sup>10</sup>

Figure 8

### Breaking and entering incidents, Canada, 1987-1997



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada

The majority of B&Es in 1997 occurred at private residences (63%) as opposed to commercial establishments or businesses (27%), or other places (e.g. shed, storage facilities) (10%). After increasing two years in a row, the rate of residential B&E dropped in 1997 (-5%). The police-reported rate for business B&E (-10%) and other types of B&E (-13%) also declined, continuing their downward trend.

The rate of B&E increased in only 4 of the 25 CMAs in 1997: Chicoutimi-Jonquière (+22%), Trois-Rivières (+15%), Halifax (+2%) and Montréal (+0.8%). In 1997, rates were highest in

Regina (2,834 incidents per 100,000 population) and Vancouver (2,191), and lowest in Toronto (757) and Saint John (New Brunswick) (769).

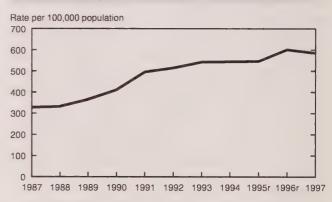
According to the Insurance Information Centre of Canada, 11 the average claim by home-owners and tenants for losses through B&E amounted to \$5,034 in 1996 (the most recent year for which data are available) and the average claim for commercial businesses amounted to \$5,162. In total, property losses associated with B&Es cost the insurance industry about \$398 million in 1996.

## Theft of motor vehicles declines for the first time in over a decade

Motor vehicle theft accounted for roughly 1 in 8 property crimes in 1997 (177,286 incidents). After steady growth for over a decade, the rate of motor vehicle theft finally decreased in 1997 (-3%) (Figure 9). The current rate, however, is still much higher than five (+14%) and ten (+79%) years ago. 12 In particular, there has been a large increase in the number of "trucks" stolen in recent years, which includes mini-vans and sport-utility vehicles. This is not surprising given that the number of mini-vans and sport-utility vehicles on the road increased 84% between 1992 and 1996. 13

Figure 9

### Motor vehicle theft incidents, Canada, 1987-1997



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada

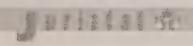
Despite a decrease at the national level, the rate of motor vehicle theft grew in almost half of the 25 CMAs. Regina reported the highest rate (1,479 per 100,000 population), followed by Winnipeg (1,352). The lowest rates were reported by St. John's (Newfoundland) (134) and Saint John (New Brunswick) (149).

For further information, refer to "Breaking and Entering in Canada, 1996", by Rebecca Kong in Juristat (catalogue 85-002 XPE/F, vol. 18, no. 5).

Members of the Insurance Information Centre of Canada represent about 80% of the total insurance industry.

For further information, refer to "Motor Vehicle Theft in Canada – 1996" by Julie Sauvé in Juristat (catalogue 85-002 XPE/F, vol. 18, no. 1).

<sup>&</sup>lt;sup>13</sup> Vehicle Information Centre of Canada. "How Cars Measure Up, 1995-1996" (published 1997).



Theft of vehicles and their components cost the Canadian insurance industry approximately \$600 million in 1996 (the most recent year for which data are available) compared to \$500 million in 1995.14

As with incidents of breaking and entering, motor vehicle theft is generally described as a youth crime. In 1997, 43% of persons charged with motor vehicle theft were youths aged 12 to 17 years compared to only 22% of persons charged with all other *Criminal Code* offences (Table 7).

#### Thefts account for one-third of all crimes

In 1997, the 782,051 incidents of theft (excluding motor vehicle thefts and B&Es) accounted for one-third of all *Criminal Code* incidents and over one-half of property crimes. The 1997 theft rate was 9% lower than the previous year (Table 5) and has generally been declining since 1991.

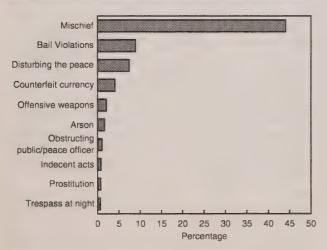
Of all thefts, 40% were thefts from motor vehicles, 13% were shoplifting, 9% were bicycle thefts, and 37% were "other" types of theft. Decreases were reported for all types of theft in 1997. Relative to other offences, a high proportion (31%) of persons charged with "theft \$5,000 and under" are female, most of whom were charged with shoplifting (Table 7).

### Other Criminal Code Incidents

The 744,687 *Criminal Code* crimes that are not in the violent or property crime categories are reported under the category "other *Criminal Code*" (Figure 10). These crimes account for 3 in 10 *Criminal Code* incidents and include such crimes as mischief, weapons offences, prostitution, arson, bail violations and disturbing the peace.

Figure 10

### Other Criminal Code categories, Canada, 1997



**Source**: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada

#### Offensive weapons crimes decrease

Offensive weapons crimes include possession/use of prohibited and restricted weapons, possession of a weapon for the purpose of committing a crime, and careless use of a firearm. Prohibited weapons are those which are illegal to possess. These include spring-loaded knives, nunchaku sticks, fully-automatic firearms, and sawed-off shotguns or rifles. Restricted weapons, such as handguns, are those which may be owned under certain conditions (e.g., lawful use and registration with the police). Non-restricted weapons may be possessed legally. In the case of rifles and shotguns, however, individuals are required to hold a valid firearms acquisition certificate (FAC) to acquire such guns.<sup>15</sup>

The 16,079 offensive weapons crimes reported by police in 1997 accounted for less than 1% of *Criminal Code* incidents. The rate of these incidents declined for the third consecutive year (-3%) (Table 5).

### Arson down, but still higher than a decade ago

Police reported 12,799 incidents of arson in 1997 (Table 5). From 1989 to 1992, the rate of arson jumped by 70%. Since then, the rate has remained relatively stable, falling an average of 1.6% annually, including a 1.3% drop in 1997. The most common targets for arson in 1997 were motor vehicles (28%), residences (25%), non-commercial enterprises (24%) and commercial or corporate places (15%). Four in ten persons charged with arson were youths (Table 7).

#### The rate of mischief offences continues to decline

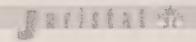
In 1997, the 341,687 mischief incidents reported by police accounted for 14% of total *Criminal Code* crimes and over 4 in 10 of "other" *Criminal Code* incidents (Table 5). The general decline in the rate of mischief incidents continued in 1997 with an 8% decrease. The most common targets of mischief were motor vehicles (66%). Consistent with previous years, youths aged 12 to 17 years comprised one-third of persons charged with this offence in 1997 (Table 7).

### Prostitution-related incidents drop

Most prostitution-related crimes involve communicating with a person for the purpose of engaging in prostitution (including both prostitutes and clients) or stopping a vehicle for the same purpose. The rate of prostitution incidents reported by police dropped by 10% in 1997 (Table 5). Despite an increase in 1995, the rate of prostitution incidents during the 1990s has generally been decreasing. Of the different types of prostitution offences, those involving bawdy houses are the only ones to have consistently increased since 1993, including a 54% jump in the rate in 1997. This most recent growth is largely due to an increase in the province of Quebec. The reporting of prostitution incidents is highly sensitive to police enforcement practices. The reader is cautioned that these practices may vary over time and across provinces and municipalities.

<sup>14</sup> Vehicle Information Centre of Canada.

<sup>15</sup> Please refer to the Criminal Code of Canada for exact definitions and conditions.



In 1997, 5,884 persons were charged with prostitution-related crimes, 56% of whom were female. Although some males charged were living from the avails of prostitution or were themselves prostitutes, it can be assumed that the majority of them were clients. Only 4% of persons charged in prostitution incidents in 1997 were youths. Child prostitution is a serious concern for Canadians, and young people who come to the attention of police are often diverted to social services in lieu of being charged. Therefore, it is important to note that UCR counts do not reflect the actual extent of child prostitution.

### Criminal Code Traffic Incidents

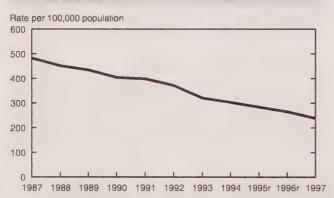
Police reported 155,327 incidents involving *Criminal Code* traffic crimes in 1997, resulting in a rate 5% below that of 1996 (Table 5). Impaired driving accounted for 58% of these incidents in 1997, failure to stop and/or remain at the scene of an accident accounted for 32%, and dangerous driving and driving while prohibited comprised the remaining 10%.

### Impaired driving incidents continue to decline

Impaired driving offences include impaired operation of a motor vehicle, boat or aircraft, driving with over .08% alcohol in the bloodstream, and failing to provide a breath and/or blood sample when requested by a police officer. In 1997, police charged 72,139 persons with impaired driving, a decline of 10% below 1996, and a continuation of the long-term trend of declining rates (Figure 11). As with drug and prostitution offences, changes in statistics on impaired driving can be influenced by police enforcement.<sup>17</sup>

Figure 11

## Persons charged with impaired driving, Canada, 1987-1997



**Source:** Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada

## Drugs

### Little change in rate of drug offences

As of 1997, all drug incidents involve offences under the new *Controlled Drugs and Substances Act* (CDSA). Cannabis offences accounted for 7 in 10 of the 66,521 drug-related incidents reported in 1997. Almost 9 in 10 persons charged with drug offences were adults.

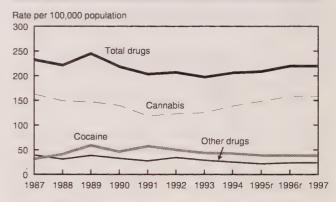
## New legislation regulating drugs: The Controlled Drugs and Substances Act

Prior to 1997, the regulation of drugs fell under two separate federal statutes: *The Narcotics Control Act*, which dealt with illicit drugs such as cannabis, cocaine and heroin; and, the *Food and Drug Act*, which dealt with controlled and restricted drugs such as amphetamines, LSD and various prescription drugs. On May 14 1997, a new act entitled the *Controlled Drugs and Substances Act* (CDSA) was proclaimed into force, replacing the two previous acts. The CDSA consolidates certain parts of the two previous acts, modernizing and enhancing Canada's drug abuse control policy. Another focus of the CDSA is to fulfil Canada's international obligations under several international protocols on drugs.

After increasing three years in a row, the rate of drug-related incidents remained virtually unchanged in 1997 (+0.1%) (Table 5). After growing steadily since 1991 with an average annual increase of 6%, the rate of cannabis offences also remained virtually unchanged in 1997 (+0.3%), a stability which affected the overall rate of drug crimes (Figure 12). Consistent with the general downward trend since 1992, the rate of cocaine offences dropped again in 1997 (-1.6%). After a fairly large increase in 1996 (+8%), the rate of offences involving other drugs (e.g. heroin, amphetamines, barbituates) grew just 1.0% in 1997.

Figure 12

## Drug incidents, Canada, 1987-1997

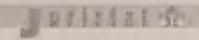


Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada

Historically, the majority of drug incidents involve "possession" (62% in 1997) and most possession incidents involve cannabis. As with prostitution and impaired driving, trends in drug-related crimes are subject to police enforcement activities.

<sup>16</sup> For more information, see "Street Prostitution in Canada", by Doreen Duchesne in Juristat (catalogue 85-002-XPE/F vol. 17, no.2)

<sup>17</sup> For further information, see "Impaired Driving in Canada, 1996", by Sylvain Tremblay in Juristat (catalogue 85-002 XPE/F, vol. 17, no.12).



### **Youth Crime**

#### Measuring youth crime

Young persons in conflict with the law may or may not be formally charged. The decision to proceed with the laying of a charge is influenced by many factors, one of which is the eligibility of the youth for an alternative measures program. As outlined in the Young Offenders Act, the objective of alternative measures (AM) is to avoid court proceedings for young persons, provided certain conditions are met. Generally, referrals to AM programs are made before charges are laid and are reserved for first time offenders. <sup>18</sup> In addition, when dealing with first-time offenders involved in minor incidents, police may choose to deal with a youth informally by giving them a warning or discussing the incident with the youth's parents.

As a result, charge rates are influenced by the extent to which AM is used, whether AM is used at the pre- or post-charge stage, and the extent to which youths are dealt with informally. Consequently, there are limitations to using the youth charge rate as an indicator of the prevalence of youth crime, particularly with respect to measuring relatively minor offences committed by first time offenders. However, data on youths not charged (i.e., AM or dealt with informally) are available from many jurisdictions and show that the rate of youths not charged has also been declining since 1991. This suggests that the decrease in youths charged is not simply a reflection of increased use of alternative measures.

## Decrease in rate of youths charged mostly due to fall in charges for non-violent crime

Fuelled by a decrease in charges for non-violent crimes, the overall rate of youths charged with *Criminal Code* offences dropped 7% in 1997 (Table 8). In total, 111,736 youths aged 12 to 17 years were charged with *Criminal Code* offences in 1997. Over half (53%) of these youths were charged with property crimes, while 20% were charged with violent crimes. The remaining youths were charged with other *Criminal Code* offences, such as mischief and offences against the administration of justice. This distribution has changed since a decade ago when 69% of youths were charged with property crimes and 9% with violent crimes. Increases in youths charged with common (level 1) assault and decreases in charges for theft and breaking and entering account for much of this shift (Table 8).

|                           | Youths charged | Adults charged |
|---------------------------|----------------|----------------|
| Selected Offences         |                |                |
| Total violent             | 20%            | 30%            |
| Assaults                  | 15%            | 26%            |
| Robbery                   | 3%             | 2%             |
| Total property            | 53%            | 38%            |
| Theft                     | 26%            | 19%            |
| Breaking and entering     | 15%            | 7%             |
| Theft motor vehicle       | 6%             | 2%             |
| Total other Criminal Code | 27%            | 32%            |
| Mischief                  | 6%             | 4%             |
| TOTAL CRIMINAL CODE       | 100%           | 100%           |

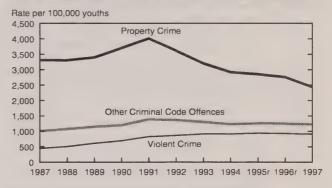
<sup>18</sup> See "National Summary of Alternative Measures Services for Young Persons" in Juristat (catalogue no. 85-205, vol. 10, no. 2).

## Rate of youths charged with violent crime declines for second year in a row

In 1997, the rate of youths charged with violent crime declined (-2%) for the second year in a row (Figure 13, Table 8). Compared to five years ago, the 1997 rate is 5% higher, and over twice that of a decade ago. This increase cannot simply be attributed to an increase in the rate of youths charged with common (level 1) assault.

Figure 13

### Rate of Youths Charged, 1987-1997



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada

In 1997, the rate of youths charged increased for homicide (+9%) and "other" types of assault (e.g. assault against police officer)(+7%). Rates changed very little for youths charged with robbery (-0.2%). The rate of youths charged with sexual assault decreased for the fourth year in a row (-7%) and the rate for those charged with assault (levels 1, 2, 3) dropped for the second year in a row (-3%). In 1997, 54 youths aged 12 to 17 years stood accused of homicide, five more compared to 1996. Between 1986 and 1996, an average of 49 youths were accused of homicide each year.

In recent years, concern has been raised about increasing violence among females, particularly young females. Over the last 10 years, the rate of female youths charged with violent crimes has increased much faster (+179%) than for male youths (+85%). In 1997, the rate of male youths charged with violent crime dropped 4% while the rate for female youths increased by 5%. However, the rate of female youths charged with violent crime (472 per 100,000 population) is still considerably lower than that for male youth (1,328).

## Rate of youths charged with property crimes continues to fall

In terms of property crimes, the rate of youths charged declined (-12%) for the sixth consecutive year (Figure 13, Table 8). The rate of youths charged dropped for all property offences including thefts (-13%), breaking and entering (-9%) and motor vehicle theft (-8%).

Youths charged with other Criminal Code offences also decreased (-2%) in 1997 (Figure 13, Table 8). While the rate

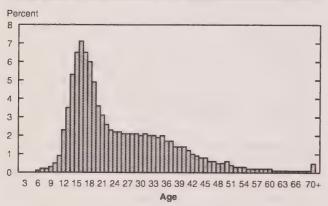
of youths charged dropped for most of these offences such as weapons offences (-5%) and mischief (-8%), rates increased for youths charged with arson (+9%) and counterfeiting currency (+50%). The rate of adults charged with counterfeiting currency also experienced a large increase in 1997 (+68%).

## Persons accused of property crimes are younger than those accused of violent crime

While persons accused <sup>19</sup> of property crimes are likely to be young, the age range of persons accused of violent crimes is much wider. While more than 4 in 10 persons accused of property crimes were aged 13 to 20 years (Figure 14a), this age group accounted for less than one-quarter of persons accused of violent crimes (Figure 14b). The median age of

Figure 14a

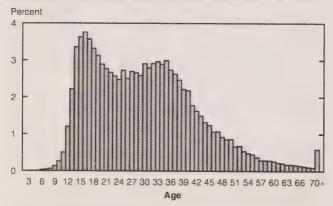
## Persons accused of property crimes by age, 1997



**Source:** Non-random sample of 179 police agencies representing 48% of the national volume of crime. The data are not nationally representative.

Figure 14b

## Persons accused of violent crime by age, 1997



Source: Non-random sample of 179 police agencies representing 48% of the national volume of crime. The data are not nationally representative.

persons accused with property crimes was 21 years, compared to 29 years for those charged with violent offences.<sup>20</sup>

## Methodology

### The Uniform Crime Reporting Survey

The Uniform Crime Reporting (UCR) Survey was developed by Statistics Canada with the co-operation and assistance of the Canadian Association of Chiefs of Police. The aggregate UCR survey, which became operational in 1962, collects crime and traffic statistics reported by all police agencies in Canada. UCR survey data reflect reported crime that has been substantiated through police investigation.

Currently, there are two levels of detail collected by the UCR survey:

### 1. Aggregate UCR Survey

The aggregate-based UCR survey records the number of incidents reported to the police. It includes the number of reported offences and the number of actual offences (excluding those that are unfounded), the number of offences cleared by charge, the number of persons charged by sex and by an adult/youth breakdown. It does not include victim characteristics. Unless otherwise mentioned, all analysis in this report is based on aggregate survey counts.

The aggregate UCR survey classifies incidents according to the most serious offence in the incident, (generally the offence that carries the longest maximum sentence under the *Criminal Code* of Canada). In categorizing incidents, violent offences always take precedence over non-violent offences. As a result, less serious offences are underrepresented by the UCR survey.

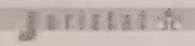
The aggregate UCR survey scores violent incidents (except robbery) differently from other types of crime. For violent crime, a separate incident is recorded for each victim (i.e. if one person assaults three people, then three incidents are recorded; but if three people assault one person, only one incident is recorded). Robbery, however, is counted as if it were a non-violent crime in order to avoid inflating the number of victims (e.g. persons in a bank during a robbery). For non-violent crimes, one incident (categorized according to the *most serious offence*) is counted for every distinct or separate occurrence.

### Revised UCR Survey - (UCRII Incident-based Research File)

The revised micro data survey captures detailed information on individual criminal incidents reported to

Persons accused refers to those involved in incidents "cleared by charge" and "cleared otherwise".

These median ages will differ from those presented in Table 7 as they are based on all accused, not just persons charged.



police, including characteristics of victims, accused persons and the incidents. In 1997, detailed data were collected from 179 departments in six provinces through the Revised UCR Survey. These data represent 48% of the national volume of actual *Criminal Code* crimes. The incidents contained in the 1997 Research File are distributed as follows: 41% from Quebec, 33% from Ontario, 11% from Alberta, 8% from British Columbia, 6% from Saskatchewan, and 1% from New Brunswick. Other than Quebec, the data are primarily from urban police departments. The reader is cautioned that these data are not nationally representative. Continuity with the aggregate survey data is maintained by a conversion of the incident-based data to aggregate counts at year-end.

In this report, the crime rate excludes traffic violations as these data have proven to be volatile over time. This volatility is the result of changes in police procedures that allow for traffic violations to be scored under either a provincial statute or the *Criminal Code* (e.g. failure to stop or remain at an accident).

### Revisions to 1996 Toronto and Winnipeg crime statistics

The 1996 crime data from the Metro Toronto Police Department and the Winnipeg Police Department required major revisions and have changed since the release of the 1996 crime statistics in July 1997.

### **Toronto**

During the processing of 1997 data, an error was uncovered in Toronto's data and this error affected data back to 1996. The error resulted in a significant number of valid criminal incidents being rejected by the CCJS processing system. The problem has been corrected and the 1996 data were revised.

This *Juristat* reflects the corrections to these 1996 data. It is important to note that, despite the revisions to Toronto's 1996 data, Toronto and Ontario still show a decrease in their crime rate from 1995 to 1996.

### Winnipeg

During 1997, the Winnipeg Police Department discovered that a number of minor offences were not being reported to their information system and, consequently, these reports did not reach the CCJS. Winnipeg's crime data from 1995 were also affected, although to a lesser extent. This problem was corrected and the Winnipeg Police sent revised 1995 and 1996 data to the CCJS. This *Juristat* reflects the corrections made to these data.

The effect of these revisions at the municipal, provincial and national levels is presented in the table below.

### The International Criminal Victimization Survey (ICVS)

The ICVS is a survey on criminal victimization that was conducted in over 30 countries worldwide in 1996, including industrialized and developing countries. It was coordinated by the Ministry of Justice of the Netherlands and the United Nations Inter-regional Crime and Justice Research Institute. In Canada, the survey was funded by the Department of Justice, the Canadian Centre for Justice Statistics and the Ministry of the Solicitor General. A total of 2,134 persons aged 16 years or older were randomly selected across Canada and were interviewed by telephone about their experiences with crime during 1995, their reasons for reporting or not reporting to police, their feelings of safety, security measures taken, and their perception of the justice system. The survey had previously been conducted to measure victimization rates in 1991.

|                    | Violent cr<br>% chang |            |                       | crime rate<br>ge 95-96 | Total crir<br>% change |            |
|--------------------|-----------------------|------------|-----------------------|------------------------|------------------------|------------|
|                    | Released last year    | Revised    | Released<br>last year | Revised                | Released last year     | Revised    |
| Toronto<br>Ontario | -11%<br>-5%           | -4%<br>-3% | -6%<br>-5%            | -4%<br>-5%             | -9%<br>-6%             | -5%<br>-5% |
| Winnipeg           | -5%                   | +9%        | -6%                   | -3%                    | -7%                    | -1%        |
| Manitoba           | -2%                   | +5%        | -4%                   | -3%                    | -4%                    | -1%        |
| Canada             | -2%                   | -1%        | -1%                   |                        | -2%                    | -1%        |

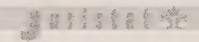


Table 1

### Rates of Criminal Code Incidents, Canada, 1986-1997<sup>1</sup>

|   | 1987         | 1988          | 1989          | 1990         | 1991         | 1992          | 1993          | 1994          | 1995 <sup>r</sup> | 1996'         | 1997          |
|---|--------------|---------------|---------------|--------------|--------------|---------------|---------------|---------------|-------------------|---------------|---------------|
| Population ('000)                                   | 26,549.7     | 26,894.8      | 27,379.3      | 27,790.6     | 28,111.0     | 28,532.5      | 28,895.7      | 29,264.7      | 29,616.5          | 29,959.5      | 30,285.8      |
| Violent crime rate<br>Year-to-year % change*        | 826<br>5.7   | 865<br>4.7    | 908<br>5.0    | 970<br>6.8   | 1,056<br>8.9 | 1,078<br>2.0  | 1,074<br>-0.4 | 1,038<br>-3.3 | 998<br>-3.8       | 990<br>-0.8   | 980<br>-1.1   |
| Property crime rate<br>Year-to-year % change*       | 5,531<br>0.1 | 5,419<br>-2.0 | 5,271<br>-2.7 | 5,593<br>6.1 | 6,143<br>9.8 | 5,870<br>-4.4 | 5,534<br>-5.7 | 5,209<br>-5.9 | 5,236<br>0.5      | 5,213<br>-0.4 | 4,817<br>-7.6 |
| Other Criminal Code rate<br>Year-to-year % change*  | 2,565<br>7.7 | 2,603<br>1.5  | 2,682<br>3.0  | 2,891<br>7.8 | 3,114<br>7.7 | 3,034<br>-2.6 | 2,860<br>-5.7 | 2,795<br>-2.3 | 2,678<br>-4.2     | 2,625<br>-2.0 | 2,558<br>-2.6 |
| Total Criminal Code rate excluding traffic offences | 8,923        | 8,887         | 8,860         | 9,454        | 10,313       | 9,982         | 9,467         | 9,042         | 8,913             | 8,828         | 8,355         |
| Year-to-year % change*                              | 2.6          | -0.4          | -0.3          | 6.7          | 9.1          | -3.2          | -5.2          | -4.5          | -1.4              | -1.0          | -5.4          |

Rates are calculated on the basis of 100,000 population. The population estimates are provided by Statistics Canada, Census and Demographic Statistics, Demography Division. Populations as of July 1st: revised intercensal estimates from 1986 to 1990, final postcensal estimates for 1991 to 1995, updated postcensal estimates for 1996 and 1997. Percent change based on unrounded rates.

Revised. After the release of 1996 data in July 1997, an error was discovered that had resulted in an under-counting of 1996 crime for Toronto and 1995 and 1996 crime for Winnipeg. These errors were corrected and the data in this Juristat reflect the corrections. Please refer to the methodology section for more details.

Table 2

### Selected Criminal Code Incidents, Canada and the Provinces/Territories, 1997

|  | Nfld.                   | P.E.I.                  | N.S.                    | N.B.                     | Qc                       | Ont.2                     | Man. <sup>2</sup>         | Sask.                    | Alta.                    | B.C.                      | Yukon                  | N.W.T.                   | Canada <sup>2</sup>        |
|--|-------------------------|-------------------------|-------------------------|--------------------------|--------------------------|---------------------------|---------------------------|--------------------------|--------------------------|---------------------------|------------------------|--------------------------|----------------------------|
| Population, 1997   | 562,198                 | 137,148                 | 946,824                 | 761,117                  | 7,430,997                | 11,421,648                | 1,142,169                 | 1,021,696                | 2,841,328                | 3,921,546                 | 31,607                 | 67,478                   | 30,285,800                 |
| Homicide<br>number<br>rate<br>% change in rate*                  | 6<br>1.1<br>-13.2       | -100.0                  | 24<br>2.5<br>32.6       | 8<br>1.1<br>-11.2        | 132<br>1.8<br>-14.7      | 178<br>1.6<br>-6.1        | 30<br>2.6<br>-33.6        | 25<br>2.4<br>-22.2       | 60<br>2.1<br>11.0        | 114<br>2.9<br>-10.6       | 3.2                    | 3<br>4.4<br>-25.8        | 581<br>1.9<br>-9.5         |
| Sexual Assault (1,2,3)<br>number<br>rate<br>% change in rate*    | 863<br>154<br>9.2       | 142<br>104<br>-15.3     | 1,167<br>123<br>0.8     | 933<br>123<br>-5.5       | 3,302<br>44<br>-0.2      | 9,021<br>79<br>-5.7       | 1,533<br>134<br>-1.1      | 1,699<br>166<br>14.6     | 3,071<br>108<br>-0.8     | 4,636<br>118<br>-1.3      | 113<br>358<br>26.1     | 583<br>864<br>32.6       | 27,063<br>89<br>-0.9       |
| Assault (1,2,3)<br>number<br>rate<br>% change in rate*           | 4,125<br>734<br>-1.6    | 779<br>568<br>-14.0     | 8,088<br>854<br>-4.6    | 5,044<br>663<br>-4.6     | 30,342<br>408<br>-3.9    | 77,630<br>680<br>-2.3     | 14,882<br>1,303<br>1.0    | 11,801<br>1,155<br>16.0  | 23,099<br>813<br>8.6     | 42,817<br>1,092<br>-0.2   | 833<br>2,635<br>-2.6   | 2,770<br>4,105<br>2.5    | 222,210<br>734<br>         |
| Robbery<br>number<br>rate<br>% change in rate*                   | 68<br>12<br>32.5        | 17<br>12<br>-0.4        | 425<br>45<br>-2.4       | 145<br>19<br>-28.2       | 8,224<br>111<br>-16.4    | 9,272<br>81<br>-6.5       | 2,136<br>187<br>6.2       | 971<br>95<br>20.4        | 2,333<br>82<br>-2.3      | 5,931<br>151<br>-7.8      | 27<br>85<br>78.8       | 41<br>61<br>9.6          | 29,590<br>98<br>-7.9       |
| Violent crime - Total<br>number<br>rate<br>% change in rate*     | 5,370<br>955<br>-1.6    | 996<br>726<br>-11.4     | 10,153<br>1,072<br>-4.3 | 6,529<br>858<br>-5.7     | 45,964<br>519<br>-6.7    | 101,910<br>892<br>-2.8    | 19,571<br>1,713<br>1.6    | 15,751<br>1,542<br>15.5  | 30,432<br>1,071<br>5.9   | 55,298<br>1,410<br>-1.1   | 1,053<br>3,332<br>4.6  | 3,710<br>5,498<br>9.6    | 296,737<br>980<br>-1.1     |
| Breaking & Entering<br>number<br>rate<br>% change in rate*       | 3,867<br>688<br>-7.2    | 895<br>653<br>-18.5     | 9,193<br>971<br>-4.0    | 6,108<br>803<br>-11.3    | 104,092<br>1,401<br>-2.7 | 108,066<br>946<br>-11.7   | 16,837<br>1,474<br>0.3    | 18,791<br>1,839<br>1.5   | 31,144<br>1,096<br>-3.0  | 71,942<br>1,835<br>-10.3  | 773<br>2,446<br>1.0    | 1,647<br>2,441<br>-16.8  | 373,355<br>1,233<br>-7.0   |
| Motor Vehicle Theft<br>number<br>rate<br>% change in rate*       | 506<br>90<br>-7.3       | 265<br>193<br>26.9      | 2,558<br>270<br>5.6     | 1,526<br>200<br>2.2      | 49,426<br>665<br>2.4     | 55,937<br>490<br>-5.6     | 11,297<br>989<br>9.9      | 6,999<br>685<br>7.6      | 15,508<br>546<br>6.5     | 32,659<br>833<br>-14.2    | 214<br>677<br>13.1     | 391<br>579<br>-13.3      | 177,286<br>585<br>-2.6     |
| Other Theft number rate % change in rate*                        | 8,200<br>1,459<br>-5.5  | 2,670<br>1,947<br>-6.4  | 21,568<br>2,278<br>-0.7 | 12,113<br>1,591<br>-10.0 | 143,560<br>1,932<br>-8.3 | 268,484<br>2,351<br>-11.8 | 29,076<br>2,546<br>-13.8  | 30,307<br>2,966<br>-4.7  | 80,502<br>2,833<br>-0.1  | 182,289<br>4,648<br>-10.6 | 1,407<br>4,452<br>-5.8 | 1,875<br>2,779<br>-17.4  | 782,051<br>2,582<br>-9.1   |
| Property crime - Total<br>number<br>rate<br>% change in rate*    | 14,378<br>2,557<br>-5.6 | 4,357<br>3,177<br>-10.2 | 37,530<br>3,964<br>-1.5 | 23,053<br>3,029<br>-8.6  | 317,681<br>4,275<br>-4.7 | 478,882<br>4,193<br>-11.0 | 62,139<br>5,440<br>-5.5   | 63,524<br>6,218<br>-1.7  | 143,011<br>5,033<br>-1.0 | 307,482<br>7,841<br>-10.5 | 2,624<br>8,302<br>-0.3 | 4,269<br>6,327<br>-14.5  | 1,458,930<br>4,817<br>-7.6 |
| Offensive weapons<br>number<br>rate<br>% change in rate*         | 135<br>24<br>-18.1      | 65<br>47<br>40.8        | 476<br>50<br>-4.6       | 334<br>44<br>-2.4        | 1,039<br>14<br>-19.4     | 6,422<br>56<br>-5.4       | 1,202<br>105<br>-4.7      | 823<br>81<br>5.6         | 2,030<br>71<br>-3.6      | 3,322<br>85<br>6.8        | 56<br>177<br>-7.3      | 175<br>259<br>5.6        | 16,079<br>53<br>-3.0       |
| Mischief<br>number<br>rate<br>% change in rate*                  | 4,723<br>840<br>-11.9   | 1,638<br>1,194<br>-13.5 | 12,788<br>1,351<br>-1.4 | 6,355<br>835<br>-18.0    | 58,700<br>790<br>-8.5    | 112,022<br>981<br>-12.3   | 21,879<br>1,916<br>-2.1   | 16,985<br>1,662<br>2.3   | 38,906<br>1,369<br>9.2   | 63,295<br>1,614<br>-12.1  | 1,004<br>3,177<br>9.0  | 3,392<br>5,027<br>22.0   | 341,687<br>1,128<br>-7.6   |
| Other Criminal Code - Tol<br>number<br>rate<br>% change in rate* | 11,572<br>2,058<br>-8.9 | 3,967<br>2,892<br>-8.7  | 30,013<br>3,170<br>-1.7 | 17,723<br>2,329<br>-6.3  | 128,507<br>1,729<br>-2.5 | 257,114<br>2,251<br>-5.9  | 43,333<br>3,794<br>-0.7   | 44,571<br>4,362<br>7.9   | 85,871<br>3,022<br>5.3   | 141,923<br>3,619<br>-4.1  | 3,029<br>9,583<br>12.0 | 7,064<br>10,469<br>5.6   | 774,687<br>2,558<br>-2.5   |
| CRIMINAL CODE - TOTAL number rate % change in rate*              |                         | 9,320<br>6,796<br>-9.7  | 77,696<br>8,206<br>-2.0 | 47,305<br>6,215<br>-7.4  | 492,152<br>6,623<br>-4.3 | 837,906<br>7,336<br>-8.5  | 125,043<br>10,948<br>-2.8 | 123,846<br>12,122<br>3.6 | 259,314<br>9,127<br>1.8  | 504,703<br>12,870<br>-7.8 | 6,706<br>21,217<br>5.7 | 15,043<br>22,293<br>-0.2 | 2,530,354<br>8,355<br>-5.4 |

After the release of 1996 data in July 1997, an error was discovered that had resulted in an under-counting of 1996 crime for Toronto and 1995 and 1996 crime for Winnipeg. These errors were corrected and the data in this Juristat reflect the corrections. Please refer to the methodology section for more details.

nil or zero

amount too small to be expressed

<sup>...</sup> figures not appropriate or applicable

In comparison to the 1996 rate. Rates are calculated on the basis of 100,000 population. The population estimates are provided by Statistics Canada, Census and Demographic Statistics, Demography Division. Populations as of July 1st: Updated postcensal estimates for 1996 and 1997.

### Crime Rates for Census Metropolitan Areas¹

|                            |           | Total Criminal Co                             | ode <sup>2</sup>                              |           | Violent crime                                 |                                   |           | Property crime                                | В   |
|----------------------------|-----------|---|---|-----------|---|-----------------------------------|-----------|---|---|
|                            | 1997 rate | % change<br>in rate<br>1996-1997 <sup>3</sup> | % change<br>in rate<br>1992-1997 <sup>3</sup> | 1997 rate | % change<br>in rate<br>1996-1997 <sup>3</sup> | % change<br>in rate<br>1992-1997³ | 1997 rate | % change<br>in rate<br>1996-1997 <sup>3</sup> | % change<br>in rate<br>1992-1997 <sup>3</sup> |
| Regina                     | 14,500    | -3.9  | -1.3  | 1,638     | 29.1  | 51.3                              | 9,129     | -9.5  | <i>-</i> 2.5                                  |
| Vancouver                  | 13,029    | -12.0   | -18.3   | 1,258     | -4.7  | -11.7                             | 9,080     | -13.1   | -9.3  |
| Saskatoon                  | 12,126    | 3.5   | 4.8   | 1,397     | 6.6   | 17.1                              | 6,940     | -0.1  | -0.4  |
| Victoria                   | 11,434    | -5.4  | -13.4   | 1,385     | 1.7   | 9.5                               | 6,213     | -10.0   | -23.2   |
| Thunder Bay                | 11,259    | -6.0  | -23.6   | 1,810     | -6.0  | 0.3                               | 5,493     | -4.0  | -31.0   |
| Winnipeg <sup>4</sup>      | 10,281    | -5.9  | -5.9  | 1,456     | -1.6  | 29.1                              | 5,972     | -9.0  | -12.3   |
| Halifax                    | 9,388     | -1.5  | -24.4   | 1,126     | -3.7  | -15.4                             | 5,597     | 1.6   | -21.0   |
| Edmonton                   | 8,836     | 2.3   | -29.8   | 960       | 4.0   | -23.5                             | 5,198     | -0.5  | 87.6  |
| London                     | 8,652     | -10.3   | -17.4   | 809       | -9.3  | -19.0                             | 5,408     | -9.8  | -69.2   |
| Windsor                    | 8,116     | -7.5  | -21.1   | 812       | -7.0  | -29.6                             | 4,575     | -11.2   | -17.9   |
| Ottawa-Hull (Ontario part) | 8,023     | -15.1   | -27.0   | 861       | -5.9  | -23.2                             | 5,030     | -15.8   | -24.0   |
| Calgary                    | 7,796     | -0.9  | -29.7   | 833       | 8.0   | -5.4                              | 5,221     | -3.3  | -32.1   |
| Hamilton                   | 7,608     | -6.2  | -17.9   | 1,122     | -1.8  | -3.5                              | 4,406     | -8.6  | -16.2   |
| St. Catharines-Niagara5    | 7,559     | -4.7  | -21.1   | 663       | 0.6   | -19.6                             | 4,551     | -9.7  | -20.0   |
| Montréal                   | 7,531     | -5.8  | -20.6   | 782       | -7.0  | -25.1                             | 5,126     | -4.3  | -20.1   |
| Sudbury                    | 7,505     | -9.6  | -27.8   | 890       | -4.4  | -17.0                             | 4,595     | -11.2   | -29.0   |
| Ottawa-Hull (Quebec part)  | 7,216     | -8.2  | -21.1   | 728       | 1.4   | -2.8                              | 4,348     | -8.7  | -22.0   |
| St. John's                 | 7,077     | -4.6  | -18.7   | 1,018     | -1.2  | -42.7                             | 4,063     | -1.9  | -13.9   |
| Saint John                 | 6,980     | -12.6   | 3.9   | 1,092     | 10.1  | 34.6                              | 3,619     | -17.5   | -5.3  |
| Trois-Rivières             | 6,662     | 1.7   | -8.2  | 488       | -4.4  | -12.7                             | 4,338     | 1.2   | -10.9   |
| Toronto <sup>4</sup>       | 6,549     | -7.6  | -22.5   | 852       | -1.4  | -14.5                             | 3,932     | -9.1  | -23.2   |
| Kitchener <sup>6</sup>     | 6,458     | -7.6  | -29.5   | 730       | 1.0   | -20.1                             | 4,076     | -9.6  | -29.2   |
| Chicoutimi-Jonquière       | 6,323     | 5.3   | -11.6   | 570       | -13.9   | -17.7                             | 4,304     | 9.8   | -10.6   |
| Sherbrooke                 | 5,853     | -7.4  | -34.6   | 410       | -1.3  | -14.5                             | 3.949     | -8.8  | -38.1   |
| Québec                     | 5,664     | -11.5   | -23.2   | 504       | -6.1  | -12.2                             | 3,765     | -14.2   | -28.1   |

Rates are calculated per 100.000 population. The population estimates are provided by Statistics Canada, Census and Demographic Statistics, Demography Division. Populations as of July 1st: final postcensal estimates for 1992; updated postcensal estimates for 1996, preliminary postcensal estimates for 1997.

The Oshawa Census Metropolitan Area (CMA) is excluded from this table due to methodological concerns with the matching of the police agency jurisdictional boundaries and the CMA boundaries. Includes crimes other than violent and property; excludes traffic offences.

Percent change based on unrounded rates.

After the release of 1996 data in July 1997, an error was discovered that resulted in the under-counting of 1996 crime for Toronto and 1995 and 1996 crime for Winnipeg.

This error has been corrected and the data in this Juristat reflect the corrections. Please refer to the methodology section for more details. Populations were adjusted to follow policing boundaries.

Table 4

## Selected Criminal Code Incidents for Major Census Metropolitan Areas, 1997<sup>1</sup>

|  | Toronto <sup>2</sup>     | Montréal                 | Vancouver                 | Edmonton                | Calgary                 | Ottawa-Hull<br>(Ont. part) | Québec                   | Winnipeg <sup>2</sup>    | Hamilton                 |
|--|--------------------------|--------------------------|---------------------------|-------------------------|-------------------------|----------------------------|--------------------------|--------------------------|--------------------------|
| Population, 1997   | 4,511,966                | 3,384,233                | 1,927,998                 | 899,466                 | 885,130                 | 788,788                    | 700,197                  | 677,291                  | 663,587                  |
| Homicide<br>number<br>rate<br>% change in rate*                    | 77<br>1.7<br>-4.0        | 72<br>2.1<br>0.7         | 49<br>2.5<br>-14.2        | 27<br>3.0<br>33.8       | 9<br>1.0<br>-27.8       | 9<br>1.1<br>-19.4          | 9<br>1.3<br>-40.2        | 20<br>3.0<br>-28.6       | 11<br>1.7<br>7.8         |
| Sexual assault (1,2,3)<br>number<br>rate<br>% change in rate*      | 2,583<br>57<br>-1.3      | 1,554<br>46<br>4.9       | 1,579<br>84<br>-0.1       | 920<br>102<br>-2.3      | 583<br>66<br>-0.9       | 565<br>72<br>-15.7         | 306<br>44<br>2.3         | 541<br>80<br>5.6         | 601<br>91<br>-9.4        |
| Assault (1,2,3)<br>number<br>rate<br>% change in rate*             | 28,509<br>632<br>-5.7    | 16,705<br>494<br>-2.6    | 17,339<br>939<br>0.3      | 6,125<br>681<br>8.1     | 5,401<br>610<br>10.2    | 4,945<br>627<br>-9.1       | 2,327<br>332<br>-4.8     | 6,845<br>1,011<br>-3.9   | 6,141<br>925<br>-1.0     |
| Robbery<br>number<br>rate<br>% change in rate*                     | 5,915<br>131<br>-6.4     | 6,305<br>186<br>-18.8    | 4,632<br>240<br>-7.9      | 1,075<br>120<br>-8.7    | 1,028<br>116<br>9.9     | 987<br>125<br>1.9          | 630<br>90<br>-17.0       | 1,995<br>295<br>6.2      | 502<br>76<br>-6.3        |
| Violent crime - Total<br>number<br>rate<br>% change in rate*       | 38,439<br>852<br>-1.4    | 26,450<br>782<br>-7.0    | 24,262<br>1,258<br>-4.7   | 8,632<br>960<br>4.0     | 7,371<br>833<br>8.0     | 6,795<br>861<br>-5.9       | 3,529<br>504<br>-6.1     | 9,864<br>1,456<br>-1.6   | 7,447<br>1,122<br>-1.8   |
| Break & enter<br>number<br>rate<br>% change in rate*               | 34,144<br>757<br>-8.2    | 51,289<br>1,516<br>0.8   | 42,233<br>2,191<br>-12.4  | 10,783<br>1,199<br>-0.7 | 9,903<br>1,119<br>-8.3  | 9,791<br>1,241<br>-15.2    | 8,963<br>1,280<br>-16.9  | 10,063<br>1,486<br>-2.9  | 6,533<br>984<br>-4.1     |
| Motor vehicle theft<br>number<br>rate<br>% change in rate*         | 20,703<br>459<br>-10.6   | 32,145<br>950<br>2.3     | 21,922<br>1,137<br>-19.2  | 4,818<br>536<br>-2.5    | 6,581<br>744<br>11.7    | 6,131<br>777<br>-7.4       | 2,822<br>403<br>-7.6     | 9,158<br>1,352<br>8.3    | 6,350<br>957<br>3.1      |
| Other theft<br>number<br>rate<br>% change in rate*                 | 106,715<br>2,365<br>-9.1 | 80,577<br>2,381<br>-8.6  | 103,301<br>5,358<br>-12.0 | 25,948<br>2,885<br>0.1  | 26,562<br>3,001<br>-1.4 | 21,074<br>2,672<br>-18.5   | 12,988<br>1,855<br>-13.7 | 19,040<br>2,811<br>-19.0 | 14,765<br>2,225<br>-14.3 |
| Property crime - Total<br>number<br>rate<br>% change in rate*      | 177,400<br>3,932<br>-9.1 | 173,487<br>5,126<br>-4.3 | 175,058<br>9,080<br>-13.1 | 46,753<br>5,198<br>-0.5 | 46,217<br>5,221<br>-3.3 | 39,676<br>5,030<br>-15.8   | 26,365<br>3,765<br>-14.2 | 40,448<br>5,972<br>-9.0  | 29,239<br>4,406<br>-8.6  |
| Offensive weapons<br>number<br>rate<br>% change in rate*           | 1,606<br>36<br>-2.7      | 369<br>11<br>-22.9       | 1,222<br>63<br>-2.7       | 458<br>51<br>4.8        | 289<br>33<br>-11.7      | 380<br>48<br>6.6           | 61<br>9<br>-32.5         | 505<br>75<br>-4.8        | 228<br>34<br>2.5         |
| Mischief<br>number<br>rate<br>% change in rate*                    | 33,602<br>745<br>-14.3   | 28,751<br>953<br>-0.2    | 25,559<br>1,326<br>-20.0  | 11,424<br>1,270<br>11.3 | 9,413<br>1,063<br>5.9   | 7,879<br>999<br>-21.2      | 5,880<br>840<br>-7.4     | 11,764<br>1,737<br>-6.6  | 5,891<br>888<br>-12.6    |
| Other Criminal Code - Total<br>number<br>rate<br>% change in rate* | 79,647<br>1,765<br>-7.2  | 54,945<br>1,624<br>-9.5  | 51,883<br>2,691<br>-11.5  | 24,094<br>2,679<br>7.5  | 15,419<br>1,742<br>2.7  | 16,815<br>2,132<br>-16.6   | 9,765<br>1,395<br>-5.6   | 19,317<br>2,852<br>-0.9  | 13,801<br>2,080<br>-3.2  |
| CRIMINAL CODE - TOTAL excluding Traffic number                     | 295,486                  | 254,882                  | 251,203                   | 79,479                  | 69,007                  | 63,286                     | 39,659                   | 69,629                   | 50,487                   |
| rate<br>% change in rate*  | 6,549<br>-7.6            | 7,531<br>-5.8            | 13,029<br>-12.0           | 8,836<br>2.3            | 7,796<br>-0.9           | 8,023<br>-15.1             | 5,664<br>-11.5           | 10,281<br>-5.9           | 7,608<br>-6.2            |

Comparable data for all police services is available upon request. Rates are calculated based on 100,000 populations. The estimates are based on populations from Statistics Canada, Demography Division. The intercensal estimates match the jurisdictional boundaries of the police department.

After the release of 1996 data in July 1997, an error was discovered that resulted in the under-counting of 1996 crimes for Winnipeg and Toronto.

This error has been corrected and the data in this Juristat reflect the corrections. Please refer to the methodology section for more details.

Compared to the 1996 rate. Percent change based on unrounded rates.



Table 5

## Federal Statute Incidents Reported to Police, by Most Serious Offence, Canada, 1993-1997

|  | 199       | 93     | 19        | 94     | 199       | )5r   | 1996      | 5'    | 199       | 7     | Percen:<br>change    |
|--|-----------|--------|-----------|--------|-----------|-------|-----------|-------|-----------|-------|----------------------|
|  | Number    | Rate*  | Number    | Rate*  | Number    | Rate* | Number    | Rate* | Number    | Rate* | in rate<br>1996-1997 |
| Population ('000)  | 28,895.7  |        | 29,264.7  |        | 29,616.5  |       | 29,959.5  |       | 30,285.8  |       |                      |
| Homicide   | 630       | 2      | 596       | 2      | 588       | 2     | 635       | 2     | 581       | 2     | -9.5                 |
| Attempted murder   | 984       | 3      | 922       | 3      | 939       | 3     | 878       | 3     | 861       | 3     | -3.0                 |
| Assaults - Total (levels 1, 2, 3)  | 223,754   | 774    | 222,300   | 760    | 217,618   | 735   | 219,919   | 734   | 222,210   | 734   |                      |
| Level 1  | 181,807   | 629    | 181,577   | 620    | 178,934   | 604   | 181,545   | 606   | 182,946   | 604   | -0.3                 |
| Level 2-Weapon   | 38,767    | 134    | 37,725    | 129    | 35,921    | 121   | 35.626    | 119   | 36.618    | 121   | 1.7                  |
| Level 3-Aggravated   | 3,180     | 11     | 2.998     | 10     | 2,763     | 9     | 2.748     | 9     | 2.646     | 9     | -4.7                 |
| Other assaults   | 14,749    | 51     | 14,264    | 49     | 13,462    | 45    | 12,171    | 41    | 11,778    | 39    | -4.3                 |
| Sexual assaults - Total (levels 1, 2, 3)   | 34,754    | 120    | 31,706    | 108    | 28,234    | 95    | 27,026    | 90    | 27,063    | 89    | -0.9                 |
| Level 1  | 33,536    | 116    | 30,572    | 104    | 27.278    | 92    | 26.076    | 87    | 26,186    | 86    | -0.7                 |
| Level 2-Weapon   | 860       | 3      | 769       | 3      | 659       | 2     | 653       | 2     | 605       | 2     | -8.3                 |
| Level 3-Aggravated   | 358       | 1      | 365       | 1      | 297       | 1     | 297       | 1     | 272       | 1     | -9.4                 |
| Other sexual offences  | 4,171     | 14     | 3,818     | 13     | 3,494     | 12    | 3.343     | 11    | 3.672     | 12    | 8.7                  |
| Abduction  | 1.204     | 4      | 1,129     | 4      | 1,035     | 3     | 977       | 3     | 982       | 3     | -0.6                 |
| Robbery - Total  | 29.955    | 104    | 29.010    | 99     | 30.332    | 102   | 31.797    | 106   | 29,590    | 98    | -7.9                 |
| Firearms   | 8.038     | 28     | 7,361     | 25     | 6,692     | 23    | 6,737     | 22    | 5.478     | 18    | -19.6                |
| Other Weapons  | 9,720     | 34     | 9,386     | 32     | 10,127    | 34    | 10.543    | 35    | 9,933     | 33    | -6.8                 |
| No Weapons   | 12,197    | 42     | 12,263    | 42     | 13,513    | 46    | 14,517    | 48    | 14.179    | 47    | -3.4                 |
| Violent crime - Total  | 310,201   | 1,074  | 303,745   | 1,038  | 295,702   | 998   | 296,746   | 990   | 296,737   | 980   | -1.1                 |
| Break & enter -Total   | 406,421   | 1,407  | 387.867   | 1,325  | 390.784   | 1,319 | 397,057   | 1,325 | 373,355   | 1,233 | -7.0                 |
| Business   | 115,757   | 401    | 110,480   | 378    | 108,749   | 367   | 110,196   | 368   | 100,652   | 332   | -9.6                 |
| Residential  | 239,322   | 828    | 227,199   | 776    | 235,129   | 794   | 242,639   | 810   | 233,844   | 772   | -4.7                 |
| Other  | 51,342    | 178    | 50,188    | 171    | 46,906    | 158   | 44,222    | 148   | 38,859    | 128   | -13.1                |
| Motor vehicle theft  | 156,685   | 542    | 159,469   | 545    | 161,696   | 546   | 180,123   | 601   | 177.286   | 585   | -2.6                 |
| Theft over \$5,000 (\$1,000 prior to 1995)<br>Theft \$5,000 and under (\$1,000 prior | 117,765   | 408    | 116,396   | 398    | 42,080    | 142   | 27,075    | 90    | 24,026    | 79    | -12.2                |
| to 1995)   | 774,293   | 2,680  | 727,414   | 2,486  | 820,908   | 2,772 | 823,732   | 2,749 | 758.025   | 2,503 | -9.0                 |
| Possession of stolen goods   | 30,827    | 107    | 30,130    | 103    | 31,293    | 106   | 31,772    | 106   | 29,544    | 98    | -8.0                 |
| Fraud  | 113,046   | 391    | 103,243   | 353    | 103,964   | 351   | 102.052   | 341   | 96.694    | 319   | -6.3                 |
| Property crime - Total   | 1,599,037 | 5,534  | 1,524,519 | 5,209  | 1,550,725 | 5,236 | 1,561,811 | 5,213 | 1,458,930 | 4,817 | -7.6                 |
| Mischief   | 415,508   | 1,438  | 396,904   | 1,356  | 380,041   | 1,283 | 365,830   | 1,221 | 341,687   | 1,128 | -7.6                 |
| Gaming and betting   | 704       | 2      | 421       | 1      | 568       | 2     | 766       | 3     | 421       | 1     | -45.6                |
| Bail violation   | 66,271    | 229    | 65,952    | 225    | 66,939    | 226   | 68,949    | 230   | 68,920    | 228   | -1.1                 |
| Disturbing the peace   | 54,492    | 189    | 51,213    | 175    | 51,401    | 174   | 54,563    | 182   | 57,594    | 190   | 4.4                  |
| Offensive weapons  | 18,584    | 64     | 18,898    | 65     | 17,571    | 59    | 16,400    | 55    | 16,079    | 53    | -3.0                 |
| Prostitution   | 8,517     | 29     | 5,575     | 19     | 7,170     | 24    | 6,397     | 21    | 5,812     | 19    | -10.1                |
| Arson  | 12,470    | 43     | 13,509    | 46     | 13,156    | 44    | 12,830    | 43    | 12,799    | 42    | -1.3                 |
| Other  | 249,842   | 865    | 265,473   | 907    | 256,381   | 866   | 260,601   | 870   | 271,375   | 896   | 3.0                  |
| Other Criminal Code - Total  | 826,388   | 2,860  | 817,945   | 2,795  | 793,227   | 2,678 | 786,336   | 2,625 | 774,687   | 2,558 | -2.5                 |
| CRIMINAL CODE WITHOUT TRAFFIC -  |           |        |           |        |           |       |           |       |           |       |                      |
| TOTAL  | 2,735,626 | 9,467  | 2,646,209 | 9,042  | 2,639,654 | 8,913 | 2,644,893 | 8,828 | 2,530,354 | 8,355 | -5.4                 |
| Impaired driving - Total <sup>2</sup>  | 117,574   | 407    | 107,768   | 368    | 102,285   | 345   | 96,280    | 321   | 90.099    | 297   | -7.4                 |
| Fail to stop/remain  | 60,066    | 208    | 60,138    | 205    | 54,180    | 183   | 49,896    | 167   | 49.954    | 165   | -1.0                 |
| Other C.C. traffic   | 20,185    | 70     | 18,529    | 63     | 17,419    | 59    | 16,286    | 54    | 15,274    | 50    | -7.2                 |
| Criminal Code Traffic - Total  | 197,825   | 685    | 186,435   | 637    | 173,884   | 587   | 162,462   | 542   | 155,327   | 513   | -5.4                 |
| CRIMINAL CODE - TOTAL  | 2,933,451 | 10,152 | 2,832,644 | 9,679  | 2,813,538 | 9,500 | 2,807,355 | 9,371 | 2,685,681 | 8,868 | -5.4                 |
| DRUGS  | 56,817    | 197    | 60,153    | 206    | 61,613    | 208   | 65,729    | 219   | 66,521    | 220   | 0.1                  |
| OTHER FEDERAL STATUTES   | 48,282    | 167    | 40,525    | 138    | 36,121    | 122   | 34,274    | 114   | 35,207    | 116   | 1.6                  |
| TOTAL FEDERAL STATUTES   | 3,038,550 | 10,516 | 2,933,322 | 10,023 | 2,911,272 | 9,830 | 2,907,358 | 9.704 | 2,787,409 | 9,203 | -5.2                 |

Percent change based on unrounded rates
Includes impaired operation of a vehicle causing death, causing bodily harm, alcohol rate over 80mg, failure/refusal to provide a breath/blood sample.

Rates are calculated based on 100,000 population. The population estimates are provided by Statistics Canada, Census and Demographic Statistics, Demography Division. Populations as of July 1st: final postcensal estimates for 1993 to 1995; updated postcensal estimates for 1996 and 1997.

Revised. After the release of 1996 data in July 1997, an error was discovered that had resulted in an under-counting of 1996 crime for Toronto and 1995 and 1996 crime for Winnipeg. These errors were corrected and the data in this Juristat reflect the corrections. Please refer to the methodology section for more details.

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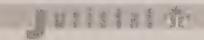


Table 6

### Victims of Violent Crime by Age and Sex, 1997

|                                 |       | Sex     |        | Age                      |                                 | Median Age |         |       |  |
|---------------------------------|-------|---------|--------|--------------------------|---------------------------------|------------|---------|-------|--|
|                                 | Males | Females | Adults | Youths (12-<br>17 years) | Children<br>(under 12<br>years) | Males      | Females | Total |  |
|                                 | %     | %       | %      | %                        | %                               |            |         |       |  |
| Homicide <sup>1</sup>           | 64    | 36      | 82     | 6                        | 12                              | 32         | 35      | 33    |  |
| Attempted murder                | 75    | 25      | 92     | 6                        | 2                               | 28         | 30      | 29    |  |
| Assault (levels 1, 2, 3)        | 52    | 48      | 79     | 16                       | 5                               | 26         | 29      | 28    |  |
| Other assaults                  | 83    | 17      | 95     | 4                        | 1                               | 31         | 29      | 30    |  |
| Sexual assault (levels 1, 2, 3) | 16    | 84      | 41     | 32                       | 27                              | 11         | 17      | 16    |  |
| Other sexual offences           | 25    | 75      | 18     | 34                       | 48                              | 11         | 12      | 12    |  |
| Abduction                       | 44    | 56      |        | 17                       | 83                              | 6          | 7       | 7     |  |
| Robbery                         | 61    | 39      | 76     | 22                       | 2                               | 22         | 32      | 26    |  |
| Criminal harassment             | 21    | 79      | 93     | 6                        | 1                               | 36         | 31      | 32    |  |
| Kidnapping/hostage taking       | 37    | 63      | 80     | 14                       | 6                               | 28         | 25      | 26    |  |

These data are based on the Homicide Survey, CCJS.

Source: 1997 Uniform Crime Reporting Incident-based Research File - CCJS, representing 48% of the national volume of crime.

Table 7

### Persons Charged by Age and Sex, Selected Incidents, 1997

|                                       |       | Sex     | Aç     | je                       |       | Median Age <sup>1</sup> |       |
|---------------------------------------|-------|---------|--------|--------------------------|-------|-------------------------|-------|
|                                       | Males | Females | Adults | Youths (12-<br>17 years) | Males | Females                 | Total |
|                                       | %     | %       | %      | %                        |       |                         |       |
| Homicides <sup>2</sup>                | 84    | 16      | 88     | 12                       | 29    | 28                      | 29    |
| Attempted murder                      | 89    | 11      | 91     | 9                        | 29    | 27                      | 28    |
| Assaults                              | 83    | 17      | 86     | 14                       | 30    | 27                      | 30    |
| Sexual assaults (levels 1, 2, 3)      | 98    | 2       | 84     | 16                       | 33    | 22                      | 33    |
| Other sexual offences                 | 96    | 4       | 86     | 14                       | 37    | 28                      | 36    |
| Abduction                             | 58    | 42      | 97     | 3                        | 33    | 32                      | 32    |
| Robbery                               | 88    | 12      | 62     | 38                       | 21    | 16                      | 21    |
| Violent crime - Total                 | 85    | 15      | 84     | 16                       | 29    | 26                      | 29    |
| Break and enter                       | 92    | 8       | 60     | 40                       | 20    | 19                      | 20    |
| Motor vehicle theft                   | 90    | 10      | 57     | 43                       | 19    | 17                      | 19    |
| Fraud                                 | 69    | 31      | 93     | 7                        | 29    | 29                      | 29    |
| Theft over \$5,000                    | 80    | 20      | 80     | 20                       | 22    | 30                      | 23    |
| Theft \$5,000 and under               | 69    | 31      | 71     | 29                       | 25    | 28                      | 26    |
| Property crime - Total                | 77    | 23      | 71     | 29                       | 23    | 27                      | 23    |
| · · · · · · · · · · · · · · · · · · · |       |         |        |                          |       |                         |       |
| Mischief                              | 88    | 12      | 66     | 34                       | 20    | 25                      | 21    |
| Arson                                 | 88    | 12      | 57     | 43                       | 19    | 34                      | 19    |
| Prostitution                          | 44    | 56      | 96     | 4                        | 34    | 28                      | 31    |
| Offensive weapons                     | 92    | 8       | 79     | 21                       | 27    | 25                      | 26    |
| Criminal Code - Total                 | 81    | 19      | 77     | 23                       | 26    | 27                      | 26    |
| Impaired driving <sup>3</sup>         | 89    | 11      |        |                          | 35    | 35                      | 35    |
| Cocaine - Possession                  | 83    | 17      | 96     | 4                        | 30    | 30                      | 30    |
| Cocaine - Trafficking                 | . 83  | 17      | 96     | 4                        | 30    | 29                      | 30    |
| Cannabis - Possession                 | 89    | 11      | 82     | 18                       | 22    | 24                      | 22    |
| Cannabis - Trafficking                | 85    | 15      | 85     | 15                       | 26    | 26                      | 26    |

These data are based on the 1997 Uniform Crime Reporting Incident-based Research File - CCJS, representing 48% of the national volume of crime.

Not applicable

These data are based on the Homicide Survey, CCJS.
Includes impaired operation of a vehicle causing death, causing bodily harm, alcohol rate over 80mg., failure/refusal to provide a breath/blood sample.

Figures not available

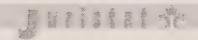


Table 8

## Youths Charged in Selected Criminal Code Incidents, Canada, 1987-1997<sup>1</sup>

|  | 1987                     | 1988                    | 1989                            | 1990                    | 1991                     | 1992                     | 1993                     | 1994                     | 1995'                    | 1996 <sup>r</sup>        | 1997                     |
|--|--------------------------|-------------------------|---------------------------------|-------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Population (aged 12-17)  | 2,260,900                | 2,249,500               | 2,245,800                       | 2,260,100               | 2,284,800                | 2,315,700                | 2,341,300                | 2,360,800                | 2,386,900                | 2,417,500                | 2,445,400                |
| Homicide <sup>2</sup> number rate % change in rate*                            | 36<br>1.6<br>-13.8       | 47<br>2.1<br>31.2       | 47<br>2.1<br>0.2                | 47<br>2.1<br>-0.6       | 48<br>2.1<br>-1.0        | 58<br>2.5<br>19.2        | 36<br>1.5<br>-38.6       | 58<br>2.5<br>59.8        | 68<br>2.8<br>16.0        | 49<br>2.0<br>-28.9       | 54<br>2.2<br>8.9         |
| Assaults (levels 1, 2, 3)<br>number<br>rate<br>% change in rate*               | 6,891<br>305<br>13.2     | 7,679<br>341<br>12.0    | 9,245<br>412<br>20.6            | 10,797<br>478<br>16.0   | 12,815<br>561<br>17.4    | 13,584<br>587<br>4.6     | 14,981<br>640<br>9.1     | 15,363<br>651<br>1.7     | 15,898<br>666<br>2.4     | 15,945<br>660<br>-1.0    | 15,696<br>642<br>-2.7    |
| Sexual assaults (levels 1, 2, 3)<br>number<br>rate<br>% change in rate*        | 1,220<br>54<br>15.8      | 1,247<br>55<br>2.7      | 1,478<br>66<br>18.7             | 1,609<br>71<br>8.2      | 1,906<br>83<br>17.2      | 2,074<br>90<br>7.4       | 2,132<br>91<br>1.7       | 1,896<br>80<br>-11.8     | 1,586<br>66<br>-17.3     | 1,581<br>65<br>-1.6      | 1,494<br>61<br>-6.6      |
| Robbery<br>number<br>rate<br>% change in rate*                                 | 1,204<br>53<br>-7.1      | 1,544<br>69<br>28.9     | 1,950<br>87<br>26.5             | 2,055<br>91<br>4.7      | 2,746<br>120<br>32.2     | 2,966<br>128<br>6.6      | 2,996<br>128<br>-0.1     | 3,006<br>127<br>-0.5     | 3,535<br>148<br>16.3     | 3,741<br>155<br>4.5      | 3,778<br>154<br>-0.2     |
| Total Violent crime<br>number<br>rate<br>% change in rate*                     | 10,165<br>450<br>10.2    | 11,437<br>508<br>13.1   | 13,780<br>614<br>20.7           | 15,690<br>694<br>13.1   | 18,919<br>828<br>19.3    | 20,028<br>865<br>4.4     | 21,477<br>917<br>6.1     | 21,629<br>916<br>-0.1    | 22,441<br>940<br>2.6     | 22,521<br>932<br>-0.9    | 22,252<br>910<br>-2.3    |
| Break and enter<br>number<br>rate<br>% change in rate*                         | 25,321<br>1,120<br>-7.0  | 23,894<br>1,062<br>-5.2 | 22,155<br>987<br>-7.1           | 24,066<br>1,065<br>7.9  | 26,901<br>1,177<br>10.6  | 24,747<br>1,069<br>-9.2  | 21,947<br>937<br>-12.3   | 19,992<br>847<br>-9.7    | 18,654<br>782<br>-7.7    | 18,532<br>767<br>-1.9    | 17,143<br>701<br>-8.6    |
| Motor vehicle theft<br>number<br>rate<br>% change in rate*                     | 5,865<br>259<br>-4.4     | 6,436<br>286<br>10.3    | 7,330<br>326<br>14.1            | 7,945<br>352<br>7.7     | 8,768<br>384<br>9.2      | 8,122<br>351<br>-8.6     | 8,211<br>351             | 7,476<br>317<br>-9.7     | 6,875<br>288<br>-9.0     | 7,011<br>290<br>0.7      | 6,503<br>266<br>-8.3     |
| Theft number rate % change in rate*  | 36,397<br>1,610<br>-4.1  | 36,368<br>1,617<br>0.4  | 38,897<br>1,732<br>7.1          | 42,514<br>1,881<br>8.6  | 45,221<br>1,979<br>5.2   | 39,648<br>1,712<br>-13.5 | 35,301<br>1,508<br>-11.9 | 32,228<br>1,365<br>-9.5  | 33,762<br>1,414<br>3.6   | 32,473<br>1,343<br>-5.0  | 28,537<br>1,167<br>-13.1 |
| Total Property crime<br>number<br>rate<br>% change in rate*                    | 74,769<br>3,307<br>-4.7  | 74,316<br>3,304<br>-0.1 | 76,317<br>3,398<br>2.9          | 83,741<br>3,705<br>9.0  | 91,656<br>4,012<br>8.3   | 83,603<br>3,610<br>-10.0 | 74,981<br>3,203<br>-11.3 | 68,907<br>2,919<br>-8.9  | 68,105<br>2,853<br>-2.2  | 66,702<br>2,759<br>-3.3  | 59,532<br>2,434<br>-11.8 |
| Mischief<br>number<br>rate<br>% change in rate*                                | 7,832<br>346<br>0.2      | 8,643<br>384<br>10.9    | 8,491<br>378<br>-1.6            | 8,647<br>383<br>1.2     | 9,725<br>426<br>11.3     | 9,066<br>392<br>-8.0     | 8,214<br>351<br>-10.4    | 7,687<br>326<br>-7.2     | 7,745<br>324<br>-0.3     | 7,695<br>318<br>-1.9     | 7,150<br>292<br>-8.1     |
| Offensive weapons<br>number<br>rate<br>% change in rate*                       | 1,416<br>63<br>-3.2      | 1,514<br>67<br>7.5      | 1,702<br>76<br>12.6             | 1,809<br>80<br>5.6      | 2,020<br>88<br>10.5      | 1,906<br>82<br>-6.9      | 1,932<br>83<br>0.3       | 1,963<br>83<br>0.8       | 1,693<br>71<br>-14.7     | 1,551<br>64<br>-9.5      | 1,488<br>61<br>-5.2      |
| Total Other Criminal Code<br>number<br>rate<br>% change in rate*               | 22,764<br>1,007<br>9.6   | 24,136<br>1,073<br>6.6  | 25,865<br>1,152<br>7.3          | 27,118<br>1,200<br>4.2  | 31,741<br>1,389<br>15.8  | 31,651<br>1,367<br>-1.6  | 30,429<br>1,300<br>-4.9  | 29,089<br>1,232<br>-5.2  | 30,117<br>1,262<br>2.4   | 30,187<br>1,249<br>-1.0  | 29,952<br>1,225<br>-1.9  |
| Total Criminal Code (excluding traffic)<br>number<br>rate<br>% change in rate* | 107,698<br>4,764<br>-0.7 | 109,889<br>4,885<br>2.6 | 115, <b>962</b><br>5,164<br>5.7 | 126,549<br>5,599<br>8.4 | 142,316<br>6,229<br>11.2 | 135,282<br>5,842<br>-6.2 | 126,887<br>5,420<br>-7.2 | 119,625<br>5,067<br>-6.5 | 120,663<br>5,055<br>-0.2 | 119,410<br>4,939<br>-2.3 | 111,736<br>4,569<br>-7.5 |

Rates are calculated on the basis of 100,000 youths. The population estimates are provided by Statistics Canada, Census and Demographic Statistics, Demography Division.

numbers too small to be expressed

Populations as of July 1st: revised intercensal estimates from 1987 to 1990, final postcensal estimates for 1991 to 1995, updated postcensal estimates for 1996 and 1997. These data are based on the Homicide Survey, CCJS.

Percent change based on unrounded rates.

Revised. After the release of 1996 data in July 1997, an error was discovered that had resulted in an under-counting of 1996 crime (and persons charged) for Toronto and of 1995 and 1996 for Winnipeg. These errors were corrected and the data in this Juristat reflect the corrections. Please refer to the methodology section for more details.

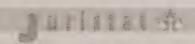
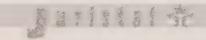


Table 9

### Population Estimates of Canada and the Provinces/Territories, 1987 to 1997

| Year           | Nfld. | P.E.1. | N.S.  | N.B.  | Qc      | Ont.     | Man.      | Sask.   | Alta.   | B.C.    | Yukon | N.W.T. | Canada   |
|----------------|-------|--------|-------|-------|---------|----------|-----------|---------|---------|---------|-------|--------|----------|
|                |       |        |       |       |         |          | thousands |         |         |         |       |        |          |
| 1987           |       |        |       |       |         |          |           |         |         |         |       |        |          |
| Total          | 576.5 | 129.0  | 896.3 | 730.5 | 6,805.9 | 9,684.9  | 1,100.5   | 1,036.4 | 2,443.5 | 3,064.6 | 26.0  | 55.7   | 26,549.7 |
| Youth (12-17)  | 68.4  | 12.4   | 83.2  | 71.9  | 545.3   | 818.1    | 98.8      | 94.1    | 212.2   | 248.0   | 2.3   | 6.2    | 2,260.9  |
| 1988           |       |        |       |       |         |          |           |         |         |         |       |        |          |
| Total          | 576.2 | 129.7  | 900.2 | 733.1 | 6,860.4 | 9,884.4  | 1,104.7   | 1,031.7 | 2,463.0 | 3,128.2 | 26.9  | 56.3   | 26,894.8 |
| Youth (12-17)  | 67.3  | 12.2   | 81.9  | 71.4  | 545.4   | 814.4    | 98.1      | 93.3    | 210.6   | 246.5   | 2.3   | 6.0    | 2,249.5  |
| 1989           |       |        |       |       |         |          |           |         |         |         |       |        |          |
| Total          | 577.4 | 130.6  | 906.7 | 738.0 | 6,948.0 | 10,151.0 | 1,106.2   | 1,023.0 | 2,504.3 | 3,209.2 | 27.4  | 57.5   | 27,379.3 |
| Youth (12-17)  | 65.8  | 12.2   | 80.0  | 70.5  | 551.2   | 811.1    | 96.6      | 92.6    | 210.7   | 247.0   | 2.2   | 6.0    | 2,245.8  |
| 1990           |       |        |       |       |         |          |           |         |         |         |       |        |          |
| Total          | 578.9 | 131.0  | 912.5 | 743.0 | 7,020.7 | 10,341.4 | 1,108.4   | 1,010.8 | 2,556.4 | 3,300.1 | 28.0  | 59.4   | 27,790.6 |
| Youth (12-17)  | 63.6  | 12.0   | 78.2  | 69.1  | 561.2   | 813.1    | 95.9      | 91.9    | 214.5   | 252.3   | 2.2   | 6.0    | 2,260.1  |
| 1991           |       |        |       |       |         |          |           |         |         |         |       |        |          |
| Total          | 580.3 | 130.8  | 918.0 | 748.5 | 7,079.6 | 10,464.2 | 1,112.5   | 1,006.3 | 2,601.1 | 3,379.3 | 29.1  | 61.3   | 28,111.0 |
| Youth (12-17)1 | 61.5  | 12.0   | 77.1  | 68.0  | 573.4   | 817.8    | 95.6      | 92.1    | 219.3   | 259.5   | 2.3   | 6.2    | 2,284.8  |
| 1992           |       |        |       |       |         |          |           |         |         |         |       |        |          |
| Total          | 582.3 | 131.4  | 923.1 | 752.0 | 7,164.0 | 10,663.4 | 1,114.9   | 1,005.6 | 2,639.3 | 3,463.6 | 30.3  | 62.5   | 28,532.5 |
| Youth (12-17)1 | 59.8  | 11.9   | 76.6  | 66.9  | 586.3   | 826.6    | 94.9      | 92.3    | 224.5   | 267.0   | 2.5   | 6.4    | 2,315.7  |
| 1993           |       |        |       |       |         |          |           |         |         |         |       |        |          |
| Total          | 584.0 | 132.8  | 929.2 | 754.2 | 7,235.5 | 10,805.0 | 1,120.4   | 1,007.7 | 2,675.7 | 3,557.3 | 30.5  | 63.4   | 28,895.7 |
| Youth (12-17)1 | 58.0  | 11.8   | 76.0  | 65.4  | 593.2   | 836.3    | 94.4      | 92.8    | 229.7   | 274.6   | 2.6   | 6.4    | 2,341.3  |
| 1994           |       |        |       |       |         |          |           |         |         |         |       |        |          |
| Total          | 580.5 | 134.2  | 933.5 | 756.7 | 7,296.2 | 10,963.2 | 1,126.2   | 1,009.4 | 2,710.1 | 3,659.9 | 29.8  | 64.8   | 29,264.7 |
| Youth (12-17)1 | 56.0  | 11.9   | 75.1  | 64.2  | 595.8   | 843.7    | 94.0      | 93.4    | 234.4   | 283.2   | 2.6   | 6.5    | 2,360.8  |
| 1995           |       |        |       |       |         |          |           |         |         |         |       |        |          |
| Total          | 575.4 | 135.3  | 936.6 | 758.6 | 7,348.7 | 11,120.8 | 1,132.4   | 1,013.0 | 2,745.2 | 3,754.0 | 30.5  | 66.0   | 29,616.5 |
| Youth (12-17)1 | 54.6  | 11.9   | 75.4  | 63.4  | 591.7   | 859.3    | 94.6      | 94.5    | 240.2   | 292.0   | 2.7   | 6.6    | 2,386.9  |
| 1996           |       |        |       |       |         |          |           |         |         |         |       |        |          |
| Total          | 569.6 | 136.6  | 941.6 | 760.8 | 7,396.7 | 11,271.8 | 1,137.3   | 1,017.5 | 2,785.8 | 3,843.6 | 31.4  | 66.8   | 29,959.5 |
| Youth (12-17)1 | 53.3  | 11.9   | 76.0  | 63.1  | 587.3   | 877.0    | 95.2      | 95.9    | 247.0   | 301.3   | 2.9   | 6.7    | 2,417.5  |
| 1997           |       |        |       |       |         |          |           |         |         |         |       |        |          |
| Total          | 562.2 | 137.1  | 946.8 | 761.1 | 7,431.0 | 11,421.6 | 1,142.2   | 1,021.7 | 2,841.3 | 3,921.5 | 31.6  | 67.5   | 30,285.8 |
| Youth (12-17)1 | 51.9  | 11.8   | 76.6  | 62.7  | 580.2   | 896.6    | 96.2      | 96.8    | 254.0   | 309.0   | 2.9   | 6.8    | 2,445.4  |

Note that population estimates by age were adjusted October 21, 1997 whereas the estimates for total population were adjusted March 30, 1998.
Source: Statistics Canada, Census and Demographic Statistics, Demography Division. 1986-1990: Revised intercensal estimates at July 1<sup>st</sup>; 1991-1995: final postcensal estimates at July 1st; 1996-1997: updated postcensal estimates at July 1<sup>st</sup>.



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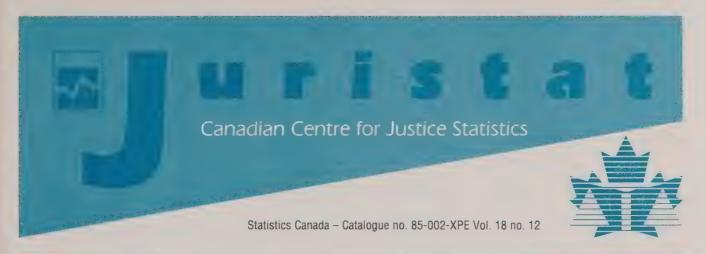
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## **HOMICIDE IN CANADA - 1997**

Orest Fedorowycz

### HIGHLIGHTS

- The national homicide rate decreased by 9% in 1997, resulting in the lowest rate since 1969. The rate has generally been decreasing since the mid-1970's. The 581 homicides in 1997 were 54 fewer than in 1996 and 10% lower than the average for the previous ten years.
- In general, homicide rates increase from east to west. British Columbia had the highest provincial rate in 1997, followed by Manitoba. The lowest rates were in Prince Edward Island, New Brunswick and Newfoundland. Most provinces/territories reported a decrease in homicides in 1997, most notably in Manitoba, Saskatchewan, and Quebec.
- Among the nine largest metropolitan areas, Edmonton reported the highest rate, followed by Winnipeg and Vancouver. Calgary and Ottawa-Hull had the lowest rates. Calgary's rate was the lowest since 1981, when data were first tabulated by metropolitan area, and Ottawa-Hull's rate was the lowest since 1984.
- Most categories of firearm homicides decreased in 1997. The 193 shootings were 9% fewer than in 1996, and were 7% fewer than the previous ten-year average (208). Firearms have consistently accounted for about one-third of all homicides since 1979. Handguns once again comprised slightly over half of all firearm homicides.
- Males continue to account for two-thirds of all homicide victims and eighty-five percent of accused.
- Homicides continue to be committed primarily by someone known to the victim. In 1997, 58 victims were killed by a stranger (13% of all victims), 10 fewer than in 1996. Despite annual fluctuations, the proportion of homicides committed by strangers has remained relatively stable over the past ten years.
- Recent declines in homicide have not been reflected in family homicides. Despite a 9% drop in total homicides in 1997, the number of family homicides remained unchanged. While spousal homicides continued to decrease in 1997, there was a corresponding increase in parents killing children.
- In addition to the 61 females killed by a spouse, 12 females were killed by a boyfriend or ex-boyfriend. In all, over half (56%) of female homicide victims 18 years of age and older were killed by someone with whom they had an intimate relationship at some point in time.
- Over the last ten years, the homicide rate for youths (accused) has remained relatively stable while the rate for adults has generally been decreasing. From 1987 to 1996, an average of 50 youths were accused of homicide each year, representing 9% of all persons accused of homicide. In 1997, 56 youths were accused, accounting for 11% of all persons accused of homicide.
- Elderly people (60 years and older) continue to be a relatively low risk group for becoming a victim of homicide. Despite an increase in homicides from 50 in 1996 to 72 in 1997, the homicide rate for the elderly (1.46 per 100,000 population) was still much lower than the rate of 1.92 for all age groups. The lowest rates were for victims under 18 years of age (1.16).



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October 1998 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

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## INTRODUCTION

Homicide – the killing of one human being by another - tends to receive more media attention than any other criminal act. Governments, criminal justice agencies and the general public have a vested interest in monitoring the nature and extent of these occurrences. Despite a growing concern among Canadians about violence, the homicide rate has gradually been declining since the mid 1970s.

This Juristat examines long-term and short-term trends and the circumstances surrounding homicide incidents. In addition, this report compares rates among major metropolitan areas, provinces and territories, and selected countries.

In Canada, criminal homicide is classified as first degree murder, second degree murder, manslaughter or infanticide. Deaths caused by criminal negligence, suicide, accidental or justifiable homicide are not included in this classification.

### **GENERAL TRENDS**

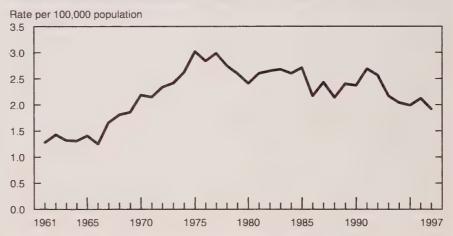
### Homicide rate lowest since 1969

Homicide is a relatively rare occurrence in Canada, accounting for 0.02% of the almost three million *Criminal Code* incidents reported to police in 1997. By comparison, there were nearly one and one-half times more attempted murders, almost seven times more suicides<sup>1</sup>, and about 400 times as many assaults as homicides. The general decline in homicides, evident since the mid-1970s, continued in 1997. There were 581 homicide offences reported, 54 fewer than the previous year, and well below the average of 647 for the previous decade. The 1997 homicide rate of 1.92 per 100,000 population represented a decrease of almost 9% from 1996, and was the lowest recorded since 1969.

Since 1961, when national homicide statistics were first collected, there have been two distinct trends. After several years of stability, the homicide rate increased steadily from 1.25 per 100,000 population in 1966 to a peak of 3.02 in 1975, an increase of 142%. From 1975 to 1997, despite yearly fluctuations, the homicide rate has gradually declined, reaching a rate of 1.92 in 1997, a decrease of 36% compared to 1975 (Figure 1).

Figure 1

### Homicide Rate, 1961-1997



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1998.

<sup>&</sup>lt;sup>1</sup> Statistics Canada. Causes of Death, Catalogue 84-208, Health Statistics Division, 1998.

Table 1

### Homicide Rates for Selected Countries, 1997

| Country           | Homicide rate<br>per 100,000 | Country       | Homicide rate<br>per 100,000 |
|-------------------|------------------------------|---------------|------------------------------|
| Australia         | 0.86                         | Italy         | 1.53                         |
| England and Wales | 1.00                         | France        | 1.66                         |
| Switzerland       | 1.23                         | Canada        | 1.92                         |
| Germany           | 1.44                         | Hungary       | 2.79                         |
| Ireland           | 1.50                         | United States | 6.70                         |

Source: National Central Bureau - Interpol Ottawa.

### Homicide rate also decreasing in United States and many other countries

According to preliminary figures, the Federal Bureau of Investigation reported a 9% decrease in the number of homicides in the United States in 1997. There were just under 18,000 homicides reported for that year, representing a rate of about 6.7 per 100,000 population. Although Canada's rate is generally three to four times lower than the USA rate, it is still higher than many European countries. For example, England and Wales reported a homicide rate of 1.00 per 100,000 population in 1997, almost 48% lower than Canada's rate (Table 1).2 Homicide rates also decreased in other European countries including France, Italy, and Germany.

### Other violent crimes decreasing since 1992

In contrast to the trend in homicide rates, the violent crime rate more than doubled from the early 1970s to the early 1990s, primarily because of large increases in Level I assaults, where physical injury inflicted on the victim is relatively minor. In the early 1980's, changes in legislation (rape and indecent assault), police charging or recording practices (e.g. in spousal assault cases), and reduced societal tolerance of certain types of violence (e.g. school violence) contributed at least partly to the increased rates of assault.3 However, the violent crime rate has been decreasing since 1992 and, in 1997, recorded a 1.1% decline.4

There has been speculation that the declining homicide rate over the past few years may be, in part, due to victims of attempted murders being saved by more advanced medical procedures and the increased use of paramedics. This implies that the number of attempted murders in Canada would have increased in recent years. In fact, the trend in the rate of attempted murders is almost parallel to that of homicide. Therefore, it appears that the general decline in the homicide rate must be attributed to other factors.

### GEOGRAPHICAL PATTERNS IN HOMICIDE

### Homicide rate decreased in most provinces

Most provinces have generally followed the national trend of declining homicide rates since the mid-1970's. In the Atlantic provinces, homicide rates, while low to begin with, have remained relatively constant over the last 20 years.

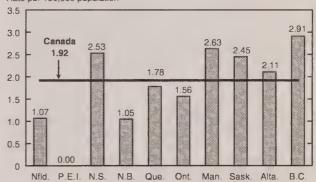
Nine provinces/territories reported a decrease in the number of homicides in 1997 (Table 2), most notably Quebec (-22), Manitoba (-15), and British Columbia (-11). Total homicides increased in Alberta and Nova Scotia.

As is the case historically, rates were generally higher in the west than in the east (Figure 2). Despite recording its lowest rate (2.91 per 100,000) in almost a decade, British Columbia had the highest rate among the provinces, followed by Manitoba (2.63). The lowest rates were in Prince Edward Island (no homicides), New Brunswick (1.05), and Newfoundland (1.07).

Figure 2

### Homicide Rate by Province, 1997

### Rate per 100,000 population 3.5



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1998

### Homicide rate in metropolitan areas same as national rate

Crime, particularly homicide, is often considered to be an urban phenomenon. However, the data show that in 1997, the homicide rate for all the 25 census metropolitan areas (CMAs) was 1.92, the same as the national rate.

<sup>&</sup>lt;sup>2</sup> Information provided by the National Central Bureau - Interpol Ottawa.

Kingsley, B. Crime Counts - A Criminal Event Analysis, edited by L. Kennedy and V. Sacco, Toronto, Nelson Canada, 1997:101.

Kong, R. 1998. Canadian Crime Statistics - 1997, Juristat, Catalogue 85-002-XPE, Vol. 18 No.11. Ottawa: Statistics Canada.

### Homicides by Province/Territory, 1996 and 1997

| Province/Territory       | 199    | 71                | 199    | <b>16</b> 2r      | Average 1987-1996 |                   |
|--------------------------|--------|-------------------|--------|-------------------|-------------------|-------------------|
|                          | Number | Rate <sup>3</sup> | Number | Rate <sup>3</sup> | Number            | Rate <sup>3</sup> |
| Newfoundland             | 6      | 1.07              | 7      | 1.23              | 5                 | 0.92              |
| Prince Edward Island     | -      | 0.00              | 1      | 0.73              | 1                 | 0.76              |
| Nova Scotia <sup>4</sup> | 24     | 2.53              | 18     | 1.91              | 17                | 1.79              |
| New Brunswick            | 8      | 1.05              | 9      | 1.18              | 14                | 1.81              |
| Québec                   | 132    | 1.78              | 154    | 2.08              | 165               | 2.55              |
| Ontario                  | 178    | 1.56              | 187    | 1.66              | 199               | 1.89              |
| Manitoba                 | 30     | 2.63              | 45     | 3.96              | 36                | 3.22              |
| Saskatchewan             | 25     | 2.45              | 32     | 3.14              | 27                | 2.67              |
| Alberta                  | 60     | 2.11              | 53     | 1.90              | . 68              | 2.62              |
| British Columbia         | 114    | 2.91              | 125    | 3.25              | 108               | 3.15              |
| Yukon                    | 1      | 3.16              | _      | 0.00              | 1                 | 4.48              |
| Northwest Territories    | 3      | 4.44              | 4      | 5.99              | 6                 | 10.27             |
| CANADA                   | 581    | 1.92              | 635    | 2.12              | 647               | 2.29              |

- 1 The following number of homicides were reported and included in 1997 but occurred in previous years: N.S. 6; N.B. 2; Qc. 5; Ont. 8; Man. 1; B.C. 1; Yukon 1; TOTAL 24.
- The following number of homicides were reported and included in 1996 but occurred in previous years: Nfld 1; N.S. 1; N.B. 1; Qc. 1; Ont. 6; Sask. 1; Alb. 1; B.C. 2; NWT 1: TOTAL 15.
- <sup>3</sup> Rates are calculated per 100,000 population using revised postcensal estimates.
- One incident with five victims occurred in 1981 and was reported as a homicide in 1997.
- Nil or zero.
- ' Revised.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1998.

Census Metropolitan Area (CMA) - a large urban core (population of 100,000 and over) together with adjacent urban and rural areas which have a high degree of economic and social integration. The areas that police forces serve may differ in their mix of urban/suburban populations, making the comparability of crime rates among these forces difficult. This lack of comparability is addressed by analyzing crime rates by CMA. Usually, more than one police force is responsible for enforcing the law within the boundaries of a CMA. It is important to note that, due to the relatively small number of homicides within some of the smaller CMAs, homicide rates for these areas can change dramatically from year to year.

Table 3 divides the CMAs into three population categories: nine CMAs with populations of 500,000 and over, seven CMAs with populations of 250,000 – 499,999, and nine CMAs with populations of 100,000 – 249,999. Historically, the larger CMAs have shown the highest rates. In 1997, however, there was very little difference among the groups.

Among the nine largest CMAs, Edmonton, despite a rate lower than its previous ten-year average, reported the highest rate (3.00), followed by Winnipeg (2.95), and Vancouver (2.54). The lowest rates were reported for Calgary (1.02) and Ottawa-Hull (1.15). Calgary's rate was the lowest since CMA data were first tabulated in 1981, and the Ottawa-Hull rate was its lowest since 1984. Canada's largest metropolitan area, Toronto, continued to report a homicide rate (1.71) below the national average.

Among the CMAs with populations of 250,000 - 499,999, Halifax reported the highest homicide rate (3.15), while Kitchener reported the lowest (0.69).

For the CMAs with populations less than 250,000, Saskatoon (3.59) reported the highest rate, while Chicoutimi-Jonquière recorded no homicides for the second consecutive year.

## CHARACTERISTICS OF HOMICIDE INCIDENTS

## Over half of homicides were classified as first degree murder

With the abolition of capital punishment in 1976 (Bill C-105), murder was categorized into first and second-degree (see Glossary of Terms for definitions of homicide). First degree murder, as a proportion of all homicides, has generally been increasing since 1976, although it declined from 58% in 1996 to 53% in 1997. Conversely, homicides classified by police as second degree murder have generally been decreasing, and in 1997, represented a proportion of 36%. Despite annual fluctuations, around 10% of all homicides are classified as manslaughter each year, and the remaining 1% are infanticides.

The classification of homicide offences in this report is based upon initial police investigation. In the transition period from initial police charging of the accused to final court disposition, the legal classification of an incident may change.

## Six percent of homicide incidents involved multiple victims

In 1997, 533 separate homicide incidents involving 581 victims were reported by the police. The majority of these incidents (94%) involved a single victim, while 6% were multiple-victim incidents. Overall, these multiple victim incidents represented 16% of all victims, consistent with the average for the previous ten years. The 35 multiple-victim incidents (down from 40 in 1996) were distributed as follows: 28 incidents involved two victims, four incidents with three victims, and three incidents with five victims. Over half (55%) of these types of multiple victim incidents were family-related.

### Eight in ten homicide incidents solved by police

During 1997, 77% of reported homicide incidents were solved by the police through the identification of at least one accused. Over the past ten years, this proportion has fluctuated between 77% and 85%. Since the process of solving a homicide can be time-consuming, an incident may not be solved until after the year in which it was initially recorded. These data, therefore, underestimate final police clearance rates.

Of those incidents cleared by police in 1997, 86% were cleared by a charge being laid and 12% by the accused having committed suicide immediately following the offence. Of the 50 incidents cleared by suicide, 37 were family-related. The remaining 2% were cleared for other reasons: Crown chose not to proceed (5), accused less than 12 years old (2), death of the accused (other than suicide) (1), and the accused was mentally incompetent (1).

#### Over half of victims killed in own residence

Of the 527 homicide incidents with a known location (6 were unknown), two-thirds of these occurred in a private residence in 1997: 53% occurred in a residence occupied by the victim (either solely or jointly with the accused); 11% occurred in the residence of the accused; and the remaining 4% in other residences. The majority of spousal homicides (95%) and other homicides within the family (93%) occurred in private residences.

The remaining one-third of locations were distributed as follows: 18% in an open area (e.g., a parking lot, street or field), 7% in a commercial area (e.g., bar, bank, restaurant), 4% in a private vehicle and the remaining 2% in a public institution (correctional facility (4), group home (2), community centre (2), hospital (1), school (1) and church grounds (1)).

In 1997, females were more likely to be killed in a private residence than males (80% versus 61%). This is not surprising, given two facts: females are killed in greater proportion by spouses and family members (67% for females compared to 27% for males), and spousal homicides usually occur in a private residence.

## **FIREARMS**

### Homicides involving firearms decreased in 1997

There are approximately 200 homicides each year using firearms. Homicides, however, account for a relatively small portion of all firearm-related deaths. Of the 1,131 deaths in Canada involving firearms in 1996 (the latest year that figures were available), the largest proportion of these deaths were due to suicide (78%), followed by homicide (16%), accidents (4%), and other types (2%).<sup>5</sup>

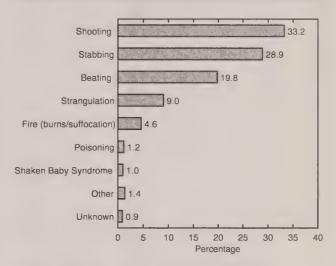
Since 1979, firearms have been used in about one-third of all homicides each year and this was also true in 1997 (Table 4) (Figure 3). The 193 shootings in 1997 represented a 9% decrease over the total in 1996, and were 7% fewer than the average (208) for the previous ten years. These shootings were distributed as follows: 99 (51%) with a handgun, 77 (40%) with

a rifle/shotgun, 10 (5%) with a sawed-off rifle/shotgun, 2 (1%) with a fully-automatic firearm, and 5 (3%) with other types of firearms. Most categories of firearm homicides decreased in 1997.

Between 1974 and 1990, one in ten homicides were committed each year with handguns. Since 1991, handguns have accounted for about one in every six homicides. The use of rifles/shotguns (including sawed-off firearms) in homicides has

Figure 3

### Methods Used To Commit Homicide, 1997



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1998.

Canada has adopted a number of legislative measures which are aimed at reducing firearm deaths and injuries. In 1977, Parliament passed legislation which amended the *Criminal Code* (Bill C-51), requiring individuals to obtain a Firearms Acquisition Certificate (FAC) before acquiring firearms. The legislation also introduced a variety of provisions including regulations on safe storage and display of firearms for businesses and bona fide gun collectors, and mandatory minimum sentences to deter the criminal use of firearms.

In 1991, Parliament strengthened the screening provisions for FAC applicants by introducing new legislation (Bill C-17). A multi-page form with a variety of questions concerning the applicant's personal and criminal history, personal references, picture, and a mandatory 28 day waiting period for approved FAC applicants were incorporated. Under this legislation all firearm owners have to comply with safe storage, handling, display, and transportation of firearms.

In December 1995, Parliament passed Canada's newest firearms legislation (Bill C-68) which created a new *Firearms Act* and amended the *Criminal Code*. The legislation created strict new penalties for firearms trafficking and smuggling, and tougher mandatory minimum sentences for 10 serious offences involving firearms. Beginning December 1, 1998, all firearm owners and users will be required to obtain a firearm licence by January 1, 2001, and all firearms will have to be registered by January 1, 2003 (this includes non-restricted rifles and shotguns). The new legislation is intended to reduce firearm deaths and injuries by further encouraging the safe use and storage of firearms, assisting police investigations, and deterring the misuse of firearms. Other countries (e.g. England and Australia) have also introduced stricter firearm legislation in recent years.

 $<sup>^{\</sup>it 5}$  Statistics Canada. Causes of Death, Catalogue 84-208, Health Statistics Division, 1998.

### Homicides by Census Metropolitan Area, 1996 and 1997

| Census Metropolitan Area     |            | 19971          |                   |                             | 1996²′ |                     | Ave                         | rage 1987-1996 |                     |
|------------------------------|------------|----------------|-------------------|-----------------------------|--------|---------------------|-----------------------------|----------------|---------------------|
| Census Metropolitan Area     | Population | Number         | Rate <sup>3</sup> | Population                  | Number | Rate <sup>3</sup>   | Population                  | Number         | Rate                |
| 500,000+ population          |            |                |                   |                             |        |                     |                             |                |                     |
| Toronto                      | 4,511,966  | 77             | 1.71              | 4,444,705                   | 79     | 1.78                | 4.087,230                   | 79             | 1.94                |
| Montréal                     | 3,384,233  | 72             | 2.13              | 3,359,029                   | 71     | 2.11                | 3,231,265                   | 93             | 2.87                |
| Vancouver                    | 1.927.998  | 49             | 2.54              | 1,891,357                   | 56     | 2.96                | 1,677,426                   | 53             | 3.18                |
| Ottawa-Hull                  | 1.045.249  | 12             | 1.15              | 1,030,460                   | 17     | 1.65                | 957.876                     | 17             | 1.73                |
| Ontario                      | 788,788    | 9              | 1.14              | 776,839                     | 11     | 1.42                | 724.365                     | 13             | 1.74                |
| Quebec                       | 256,461    | 3              | 1.17              | 253,621                     | 6      | 2.37                | 233,511                     | 4              | 1.71                |
| Edmonton                     | 899.466    | 27             | 3.00              | 891,541                     | 20     | 2.24                | 854,305                     | 27             | 3.15                |
| Calgary                      | 885,130    | 9              | 1.02              | 851,593                     | 12     | 1.41                | 774.004                     | 17             | 2.22                |
| Québec                       | 700,197    | 9              | 1.29              | 697,620                     | 15     | 2.15                | 665.523                     | 11             | 1.65                |
| Winnipeg                     | 677.291    | 20             | 2.95              | 676,674                     | 28     | 4.14                | 664.459                     | 19             | 2.89                |
| Hamilton                     | 663,587    | 11             | 1.66              | 650.421                     | 10     | 1.54                | 622.361                     | 12             | 1.85                |
| Totals                       | 14,695,117 | 286            | 1.95              | 14,493,400                  | 308    | 2.13                | 13,534,450                  | 328            | 2.42                |
| 250,000 - 499,999 population |            |                |                   |                             |        |                     |                             |                |                     |
| Kitchener                    | 433,815    | 3              | 0.69              | 426.044                     | 6      | 1.41                | 391.578                     | 6              | 1.40                |
| St. Catharines-Niagara       | 426,659    | 8              | 1.88              | 421.068                     | 9      | 2.14                | 406,717                     | 8              | 1.40                |
| London                       | 424,304    | 3              | 0.71              | 416.119                     | 4      | 0.96                | 394,105                     | 5              | 1.24                |
| Halifax                      | 349,164    | 11             | 3.15              | 346.813                     | 7      | 2.02                | 328,195                     | 7              | 2.19                |
| Victoria                     | 320,335    | 7              | 2.19              | 313,424                     | 6      | 1.91                | 296.030                     | 5              | 1.79                |
| Windsor                      | 298,125    | 8              | 2.68              | 291.665                     | 2      | 0.69                | 275,294                     | 7              | 2.36                |
| Oshawa                       | 286,961    | 6              | 2.09              | 280.949                     | 3      | 1.07                | 252,601                     | 4              |                     |
| Totals                       | 2,539,362  | 46             | 1.81              | 2,496,082                   | 37     | 1.48                | 2,344,520                   | 4              | 1.46<br><b>1.75</b> |
| 100,000 - 249,999 population |            |                |                   | -,,                         |        |                     | 2,011,020                   | ***            | 1.10                |
| Saskatoon                    | 222.842    | 8              | 3.59              | 222.078                     | 4      | 1.80                | 215.416                     | 5              | 2.51                |
| Regina                       | 198.845    | 3              | 1.51              | 199,222                     | 8      | 4.02                | 196,252                     | 5              | 2.75                |
| St. John's                   | 174,118    | 3              | 1.72              | 177,773                     | 3      | 1.69                | 174,358                     |                |                     |
| Chicoutimi-Jonquière         | 167,515    | -              | 0.00              | 166,621                     | -      | 0.00                | 164.839                     | 2              | 1.20                |
| Sudbury                      | 165,757    | 2              | 1.21              | 166,225                     | 4      | 2.41                |                             | 2              | 1.03                |
| Sherbrooke                   | 150,742    | 4              | 2.65              | 149.959                     | 5      | 3.33                | 162,108                     | 5              | 2.96                |
| Trois-Rivières               | 142.085    | 2              | 1.41              | 143,601                     |        |                     | 143,190                     | 2              | 1.19                |
| Thunder Bay                  | 128,922    | 3              | 2.33              | 131,275                     | 3      | 2.09                | 139.534                     | 2              | 1.72                |
| Saint John                   | 128,924    |                |                   |                             | 2      | 1.52                | 129,197                     | 4              | 2.71                |
| Totals                       | 1,479,750  | 3<br><b>28</b> | 2.33<br>1.89      | 129,122<br><b>1,485,876</b> | 29     | 0.00<br><b>1.95</b> | 128,132<br><b>1,453,025</b> | 4<br><b>31</b> | 2.89<br><b>2.11</b> |
| CMA TOTALS                   | 18,714,229 | 360            |                   |                             |        |                     |                             |                |                     |
| < 100,000 population         | 11,572,367 | 221            | 1.92<br>1.91      | 18,475,358                  | 374    | 2.02                | 17,331,994                  | 399            | 2.30                |
| CANADA                       |            |                |                   | 11,493,851                  | 261    | 2.27                | 10,974,584                  | 248            | 2.26                |
| UNINUM                       | 30,286,596 | 581            | 1.92              | 29,969,209                  | 635    | 2.12                | 28,306,577                  | 647            | 2.29                |

The following number of homicides were reported and included in 1997 but occurred in previous years: Toronto - 3; Montreal - 2; Hamilton - 1; Halifax - 1; Sudbury - 1; Saint John - 1; Areas < 100,000 population - 15; TOTAL - 24.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1998.

generally been decreasing, from 32% in 1974 to the present level of 15% in 1997 (Figure 4). Fully-automatic weapons were used in less than 1% of all homicides (Table 4).

While shooting was the most common cause of death in homicides in 1997, stabbing accounted for 29%, beating, for 20%, strangulation, for 9%, fire (burns/suffocation), for 5%, poisoning, for 1%, and shaking (Shaken Baby Syndrome), for 1% (Table 5).

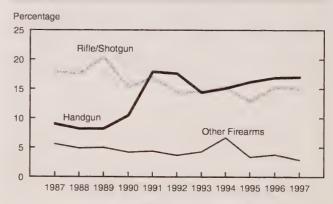
## AGE AND SEX OF VICTIMS AND ACCUSED

## Males continue to account for two-thirds of victims and eighty-five percent of accused

Historically, about two-thirds of homicide victims are male. This pattern also held true in 1997. The median<sup>6</sup> ages for male and female victims of homicide were 32 and 35 years of age, respectively.

Figure 4

### Firearm Homicides as a Proportion of All Homicides, 1987-1997



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1998.

The following number of homicides were reported and included in 1996 but occurred in previous years: Toronto - 1; Vancouver - 1; Ottawa-Hull - 1; Calgary - 1; Kitchener - 1; Halifax - 1; Oshawa - 1; Sudbury - 1; Areas < 100,000 population - 7; TOTAL - 15.

Rates are calculated per 100,000 population. Population estimates at July 1st, provided by Statistics Canada, Census and Demographic Statistics, Demography Division.

Nil or zero.

<sup>&#</sup>x27; Revised.

<sup>&</sup>lt;sup>6</sup> Median refers to the middle value in a set of values ordered from lowest to highest.

Table 4

### Homicides involving Firearms, 1974-1997

| Year              | На     | Handgun                 |        | gun Rifle/Shotgun       |        | Fully automatic<br>firearm <sup>1</sup> |        | Sawed-off rifle/<br>shotgun <sup>1</sup> |        | Other firearms <sup>1</sup> |        | Total homicides<br>involving firearms |  |
|-------------------|--------|-------------------------|--------|-------------------------|--------|---|--------|--|--------|-----------------------------|--------|---------------------------------------|--|
|                   | Number | % of Total<br>Homicides | Number | % of Total<br>Homicides | Number | % of Total<br>Homicides                 | Number | % of Total<br>Homicides                  | Number | % of Total<br>Homicides     | Number | % of Total<br>Homicides               |  |
| 1974              | 76     | 12.7                    | 180    | 30.0                    |        | ***                                     | 12     | 2.0                                      | 15     | 2.5                         | 283    | 47.2                                  |  |
| 1975              | 88     | 12.6                    | 183    | 26.1                    |        |   | 10     | 1.4                                      | 11     | 1.6                         | 292    | 41.7                                  |  |
| 1976              | 68     | 10.2                    | 165    | 24.7                    | ***    |   | 5      | 0.7                                      | 20     | 3.0                         | 258    | 38.6                                  |  |
| 1977              | 61     | 8.6                     | 161    | 22.6                    | ***    | ***                                     | 14     | 2.0                                      | 24     | 3.4                         | 260    | 36.6                                  |  |
| 1978              | 63     | 9.5                     | 177    | 26.8                    |        |   | 2      | 0.3                                      | 8      | 1.2                         | 250    | 37.8                                  |  |
| 1979              | 54     | 8.6                     | 135    | 21.4                    |        |   | 4      | 0.6                                      | 14     | 2.2                         | 207    | 32.8                                  |  |
| 1980              | 62     | 10.5                    | 120    | 20.3                    |        |   | 4      | 0.7                                      | 9      | 1.5                         | 195    | 32.9                                  |  |
| 1981              | 59     | 9.1                     | 123    | 19.0                    |        | ***                                     | 2      | 0.3                                      | 15     | 2.3                         | 199    | 30.7                                  |  |
| 1982              | 88     | 13.2                    | 146    | 21.9                    |        |   | 9      | 1.3                                      | 5      | 0.7                         | 248    | 37.2                                  |  |
| 1983              | 78     | 11.4                    | 127    | 18.6                    |        |   | 4      | 0.6                                      | 15     | 2.2                         | 224    | 32.8                                  |  |
| 1984              | 66     | 9.9                     | 142    | 21.3                    |        | ***                                     | 2      | 0.3                                      | 18     | 2.7                         | 228    | 34.2                                  |  |
| 1985              | 73     | 10.4                    | 131    | 18.6                    |        | ***                                     | 9      | 1.3                                      | 9      | 1.3                         | 222    | 31.5                                  |  |
| 1986              | 38     | 6.7                     | 114    | 20.0                    |        | ***                                     | 1      | 0.2                                      | 22     | 3.9                         | 175    | 30.8                                  |  |
| 1987              | 58     | 9.0                     | 108    | 16.8                    |        |   | 7      | 1.1                                      | 29     | 4.5                         | 202    | 31.4                                  |  |
| 1988              | 47     | 8.2                     | 94     | 16.3                    |        | ***                                     | 7      | 1.2                                      | 21     | 3.6                         | 169    | 29.3                                  |  |
| 1989              | 54     | 8.2                     | 131    | 19.9                    | •      |   | 3      | 0.5                                      | 30     | 4.6                         | 218    | 33.2                                  |  |
| 1990              | 69     | 10.5                    | 99     | 15.0                    |        | ***                                     | 1      | 0.2                                      | 27     | 4.1                         | 196    | 29.7                                  |  |
| 1991              | 135    | 17.9                    | 103    | 13.6                    | 6      | 0.8                                     | 25     | 3.3                                      | 2      | 0.3                         | 271    | 35.9                                  |  |
| 1992              | 129    | 17.6                    | 90     | 12.3                    | 12     | 1.6                                     | 15     | 2.0                                      |        | 0.0                         | 246    | 33.6                                  |  |
| 1993              | 90     | 14.4                    | 76     | 12.1                    | 11     | 1.8                                     | 15     | 2.4                                      | 1      | 0.2                         | 193    | 30.8                                  |  |
| 1994              | 90     | 15.1                    | 66     | 11.1                    | 14     | 2.3                                     | 26     | 4.4                                      | _      | 0.0                         | 196    | 32.9                                  |  |
| 1995              | 95     | 16.2                    | 61     | 10.4                    | 5      | 0.9                                     | 15     | 2.6                                      | _      | 0.0                         | 176    | 29.9                                  |  |
| 1996 <sup>r</sup> | 107    | 16.9                    | 81     | 12.8                    | 8      | 1.3                                     | 16     | 2.5                                      | _      | 0.0                         | 212    | 33.4                                  |  |
| 1997              | 99     | 17.0                    | 77     | 13.3                    | 2      | 0.3                                     | 10     | 1.7                                      | 5      | 0.9                         | 193    | 33.2                                  |  |

The addition of a new firearm category - "fully automatic firearm" - in 1991 and the improved identification of sawed -off rifles/shotguns may account for some of the decrease in the numbers for the "other firearms" category.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1998.

Table 5

### Homicides by Cause of Death, 1996 and 1997

| 0                        | 1      | 997        | 1      | 996 <sup>r</sup> |
|--------------------------|--------|------------|--------|------------------|
| Cause of death           | Number | Percentage | Number | Percentage       |
| Shooting                 | 193    | 33.2       | 212    | 33.4             |
| Stabbing                 | 168    | 28.9       | 195    | 30.7             |
| Beating                  | 115    | 19.8       | 132    | 20.8             |
| Strangulation            | 52     | 9.0        | 59     | 9.3              |
| Fire (burns/suffocation) | 27     | 4.6        | 8      | 1.3              |
| Poisoning                | 7      | 1.2        | 6      | 0.9              |
| Shaken Baby Syndrome     | 6      | 1.0        | 7      | 1.1              |
| Other                    | 8      | 1.4        | 5      | 0.8              |
| Unknown                  | 5      | 0.9        | 11     | 1.7              |
| Totals                   | 581    | 100.0      | 635    | 100.0            |

Revised.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1998.

<sup>...</sup> Figures not applicable or not appropriate.

- Nil or zero.

r Revised.

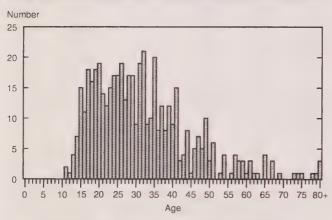
Males accounted for 85% of all those accused of homicide in 1997, consistent with the average for the previous ten years. Females accused of homicide tended to kill family members (64% of the time) more often than male accused (32%).

### Average age of accused increasing

In the United States, much has been made of the fact that persons accused of homicide have become increasingly younger over the past decade<sup>7</sup>. This does not appear to be the case, however, in Canada. The median age of those accused of homicide has actually increased slightly over the past 25 years. From 1974 to 1986, the median age of the accused was either 26 or 27 years. Since 1986, the median age has ranged from 27 to 29 years. The most common single age (mode) for someone accused of homicide in 1997 was 32 years (Figure 5).

Figure 5

### Homicide Accused by Age, 1997



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1998.

The 15-34 age group tends to be the highest risk group for committing homicide, accounting for about 65% of all accused in a given year, while comprising approximately 30% of the total population. The population in this age group has been shrinking in number since 1990, and is expected to reach its smallest size around the year 2000, at which point it is projected to increase again<sup>8</sup>. All other factors remaining constant, the homicide rate may be expected to continue its general decline until the end of this decade, due to the decreasing size of this high-risk age group, before starting a general increase.

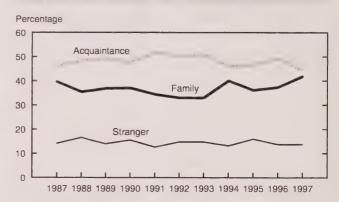
## **ACCUSED-VICTIM RELATIONSHIP**

In general, people are more fearful of being victims of violence at the hands of a stranger than of someone they know. Media coverage of murders perpetrated by strangers tends to reinforce this fear in the minds of the public. However, data indicate that homicides are more likely to be committed by someone known to the victim than by a stranger.

In 1997, 58 (13%) victims were killed by a stranger, 10 fewer then the previous year. Despite annual fluctuations, the proportion of stranger homicides has remained relatively stable over the past ten years (Figure 6). Almost 60% of incidents where victims were killed by strangers occurred during the commission of another criminal offence. Male victims were two-and-one-half times more likely to be killed by strangers (17%) than female victims (7%), as well as being at greater risk of being killed by a non-intimate acquaintance (71% versus 25%). These patterns are also evident for other violent crimes.

Figure 6

### Homicides by Accused-Victim Relationship, 1987-1997



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1998.

Recent declines in homicides have not been reflected in family homicides. Family homicides involve spouses, parents, children, siblings or other members related either by blood or marriage. Despite a 9% drop in total homicides in 1997, the number of family homicides remained unchanged. This type of homicide included: 75 victims killed by a spouse or an ex-spouse, 62 victims killed by a parent, 18 by a son or daughter, 9 by a sibling, and 22 by another relative. (Table 6).

### Spousal homicides decreasing

Spousal homicides include persons in registered marriages, in common-law relationships and persons separated or divorced from such unions. These homicides continue to account for one out of every six *solved* homicides (i.e., when an accused has been identified). In 1997, 75 persons were killed by a spouse or an ex-spouse, down from 81 the previous year and 90 in 1995. Four in five spousal homicide victims were women.

In 1997, 44 women were killed by a current spouse (legal or common-law), and 17 were killed by a separated or divorced spouse. The data also show that women were five times more likely to be killed by a spouse than by a stranger. Of the 14 men

<sup>&</sup>lt;sup>7</sup> Law Enforcement News, Vol.XXII, No. 452. John Jay College of Criminal Justice/CUNY. September 30, 1996: 6.

Statistics Canada. Population Projections for Canada, Provinces and Territories, 1993-2016, Catalogue 91-520, December 1994.

#### Solved Homicides by Accused-Victim Relationship<sup>1</sup>, 1996 and 1997

| Relationship Type                   | 19     | 97      | 19     | 996 <sup>r</sup> | Average 1991-1996 |         |  |
|-------------------------------------|--------|---------|--------|------------------|-------------------|---------|--|
| (Accused was)                       | Number | Percent | Number | Percent          | Number            | Percent |  |
| Family Relationship                 |        |         |        |                  |                   |         |  |
| Husband (legal and common-law)      | 44     | 9.9     | 39     | 7.8              | 53                | 10.0    |  |
| Husband (separated/divorced)        | 17     | 3.8     | 23     | 4.6              | 20                | 3.8     |  |
| Same sex spouse                     | 1      | 0.2     | _      | 0.0              | _                 | 0.0     |  |
| Wife (legal and common-law)         | 12     | 2.7     | 16     | 3.2              | 19                | 3.7     |  |
| Wife (separated/divorced)           | 1      | 0.2     | 3      | 0.6              | 2                 | 0.3     |  |
| Father                              | 37     | 8.3     | 35     | 7.0              | 25                | 4.8     |  |
| Mother                              | 25     | 5.6     | 13     | 2.6              | 17                | 3.2     |  |
| Child                               | 18     | 4.0     | 25     | 5.0              | 19                | 3.6     |  |
| Sibling                             | 9      | 2.0     | 7      | 1.4              | 12                | 2.3     |  |
| Other family relation               | 22     | 4.9     | 25     | 5.0              | 19                | 3.6     |  |
| Family - Totals                     | 186    | 41.8    | 186    | 37.3             | 186               | 35.3    |  |
| Acquaintance                        |        |         |        |                  |                   |         |  |
| (ex) Boyfriend/girlfriend           | 18     | 4.0     | 29     | 5.8              | 29                | 5.4     |  |
| Close Acquaintance                  | 28     | 6.3     | 29     | 5.8              | 32                | 6.1     |  |
| Business associate (legal)          | 9      | 2.0     | 8      | 1.6              | 17                | 3.2     |  |
| Criminal relationships <sup>2</sup> | 24     | 5.4     | 39     | 7.8              | 39                | 7.4     |  |
| Neighbour                           | 21     | 4.7     | 30     | 6.0              | 25                | 4.8     |  |
| Casual acquaintance                 | 98     | 22.0    | 109    | 21.9             | 120               | 22.8    |  |
| Acquaintance - Totals               | 198    | 44.5    | 244    | 49.0             | . 262             | 49.7    |  |
| Stranger                            | 58     | 13.0    | 68     | 13.7             | 74                | 14.0    |  |
| Unknown relationship                | 3      | 0.7     | ~~     | 0.0              | 6                 | 1.0     |  |
| SOLVED HOMICIDES - TOTALS           | 445    | 100.0   | 498    | 100.0            | 526               | 100.0   |  |

<sup>1</sup> Includes only homicide incidents in which there are known suspects. If there was more than one suspect, only the closest relationship to the victim was recorded.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1998.

killed by a spouse in 1997, 12 were killed by a current spouse and 2 by a separated spouse. Six in 10 incidents of spousal homicides involved a history of domestic violence known to police (9 in 10 incidents when the victim was female).

Historically, wives tend to stab their spouses while husbands tend to shoot their spouses. In 1997, 38% of wives killed were shot (70% with a rifle/shotgun), 29% were beaten or strangled, and 28% were stabbed. In contrast, 43% of husbands were stabbed, 29% were shot (75% with a rifle/shotgun), and 21% were beaten.

In addition to those killed by a spouse, 12 females were killed by a boyfriend or ex-boyfriend. In all, 56% of all female victims 18 years of age and older in 1997 were killed by a person with whom they had an intimate relationship at one point in time, either through marriage or dating.

#### Violence against children - a major concern

There were 64 children (under the age of 12) killed in 1997, compared with an average of 51 killed each year since 1987. In 1997, females were accused in 43% of homicides involving children, compared to 10% of homicides involving adults.

Of the 62 children killed by parents, six in ten victims were five years of age and under. In 1997, there was a large increase in

the number of mothers accused of killing their children. This figure nearly doubled, from 13 in 1996 to 25 in 1997. Most (80%) of these children were 5 years of age and under.9 Of the females accused of child homicide in 1997, 33% were 18 to 24 years of age, and 57% were age 25 to 39.

During the previous ten years, there has been an annual average of 11 victims of homicide under one year of age, accounting for between 2.5% and 5.0% of all victims. The figure for infants may be under-reported since some claims of accidental childhood deaths such as falls or "sudden infant deaths" could actually be due to child abuse. However, in 1995, most provinces legislated mandatory coroner inquests into deaths of children less than two years of age, which may result in the reporting of these cases in the future.

Of the 13 infants under one year of age who were killed in 1997, 8 were killed by a parent (3 by the father and 5 by the mother), one by a babysitter, one by a stranger, and in three cases the accused was unknown. Under Section 233 of the *Criminal Code*, there is a provision – *infanticide* - for diminished responsibility in the case of a mother killing her newly-born child, "if at the time of the act ... she is not fully recovered from the effects of giving

<sup>&</sup>lt;sup>2</sup> Includes prostitutes, drug dealers and their clients.

Nil or zero.

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For more information, see – Fitzgerald, R. 1997. Children as Victims of Violent Crime, Juristat, Catalogue 85-002 XPE/F, Vol. 17, No. 11. Ottawa: Statistics Canada

birth ... or of the effect of lactation ... [and] her mind is ... disturbed." In 1997, four of the five accused mothers were charged with *infanticide*.

## ALCOHOL/DRUG INVOLVEMENT

For the purposes of this report, "drugs" refer to illegal, controlled and restricted substances as defined by the Controlled Drugs and Substances Act which replaced the Narcotic Control Act and the Food and Drugs Act as of 1997. Prior to 1997, the regulation of drugs fell under two separate federal statutes: *The Narcotics Control Act*, which dealt with illicit drugs such as cannabis, cocaine and heroin; and, the *Food and Drug Act*, which dealt with controlled and restricted drugs such as amphetamines, LSD and various prescription drugs. On May 14 1997, a new act entitled the *Controlled Drugs and Substances Act* (CDSA) was proclaimed into force, replacing the two previous acts. The CDSA consolidates certain parts of the two previous acts, modernizing and enhancing Canada's drug abuse control policy. Another focus of the CDSA is to fulfil Canada's international obligations under several international protocols on drugs.

## Five in ten accused and three in ten victims had consumed alcohol / drugs

Alcohol, drugs and other intoxicants are known to play a role in the commission of many crimes including homicide. <sup>10</sup> In 1997, police reported that 33% of homicide victims and 47% of accused persons had consumed alcohol and/or drugs at the time of the offence, consistent with patterns since 1991 when this element was first collected in the Homicide Survey. Where the blood-alcohol concentration level of the victim was known to police (316 instances), 19% of these victims were found to be legally impaired as measured by the legal driving limit of 80 milligrams of alcohol per 100 millilitres of blood. Male victims were one-and-a-half times more likely to have consumed alcohol and/or drugs than female victims.

#### One in ten homicide incidents are drug-related

Drugs and drug dealing are believed to be the causes of many types of crimes, including homicide. In 1997, one in ten (52) homicide incidents were reported by the police to be drug-related, with 14 of the victims reported to be drug dealers.

## Homicides committed during commission of another offence

Almost one-third of all homicide incidents reported in 1997 occurred during the commission of another criminal offence. Of these 166 incidents, 111 were committed at the same time as another violent offence: 58 during an assault, 27 during a robbery, 10 during a sexual assault, 6 during a kidnapping/abduction, 1 as a result of a stalking and 9 during other violent offences. A further 9 homicides occurred as a result of arson, 24 during other property offences, and 22 in combination with other types of criminal offences.

## One in ten accused suspected of having a mental or developmental disorder

Recent studies on the prison population have found that onethird of incarcerated persons have some sort of mental or developmental disorder (e.g., schizophrenia, mental retardation, dyslexia, etc.)<sup>11</sup> In order to address this issue, a new question was added to the Homicide Survey, directed at the mental state of the accused immediately before or during the homicide incident. The data indicate that in 1997, 10% of the persons accused of homicide were suspected by police of having a mental or developmental disorder. This proportion is possibly underestimated since police officers may not feel qualified to make such assessments.

### **OCCUPATIONS AT RISK**

#### One police officer murdered in the line of duty

Some occupations involve more risk to personal safety than others. In Canada, the murder of police officers in the line of duty is a relatively rare occurrence. Since 1961, an average of three police officers each year has been murdered as a result of performing their duties. In 1997, one police officer was a victim of homicide. By comparison, the United States, with a population ten times greater than Canada's, reported 64 police officers murdered on the job in 1997, and all but three were killed with a firearm.

There were nine other persons murdered on the job in 1997 in Canada: 3 gas bar attendants, 3 store clerks/managers, 2 hotel managers/owners, and 1 bar manager/owner.

#### Drug dealers and prostitutes at risk

In 1997, 20 victims were killed while engaging in illegal activities, 14 of whom were drug dealers. There were also six known prostitutes killed in the course of their work, down from 10 in 1996. It should be noted that the number of prostitutes reported killed most likely under-represents the actual figure: only those incidents where the police are certain that the victim was killed in the course of engaging in prostitution-related activities are counted.<sup>12</sup>

## YOUTH HOMICIDE

Since the introduction of the *Young Offenders Act* in 1984, much publicity has focussed on youths accused of homicide and their subsequent treatment by the courts. In this report, "youths accused of homicide" and "youth (homicide) victims" represent persons 12 to 17 years of age.

#### Rate of homicides by youths remains stable

Over the last ten years, the youth homicide rate has remained relatively stable, while the homicide rate for adults has generally been decreasing. From 1987 through 1996, an average of 50 youths were accused, accounting for 9% of persons accused of homicide annually, slightly higher their population share of 8% (Table 7). In 1997, 56 youths were accused of homicide,

<sup>&</sup>lt;sup>10</sup> Sacco, V., and L. Kennedy. 1994. The Criminal Event. Scarborough, Ontario. Nelson Canada: 47.

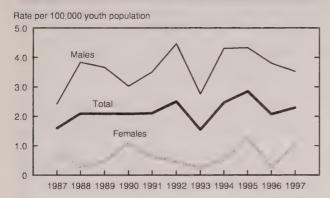
<sup>11</sup> Coté, G. and S. Hodgins. International Journal of Law and Psychiatry, Vol. 15, 1992: 89-99

<sup>&</sup>lt;sup>12</sup> For more information, see - Duchesne, D. 1997. Street Prostitution in Canada, Juristat, Catalogue 85-002-XPE, Vol. 17 No. 2. Ottawa: Statistics Canada.

(6 more than the previous year), representing 11% of all persons accused of homicide. The rate of homicides for youths ranged between 1.5 and 2.9 per 100,000 youths since 1987 and in 1997 was 2.3 per 100,000 youths (Figure 7).

Figure 7

## Youths (Aged 12 to 17 Years) Accused of Homicide, 1987-1997



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1998.

Between 1987 and 1996, there were almost 300 victims aged 12-17 years, accounting for 4% of all homicide victims. In cases that were solved, victims 12-17 years of age accounted for 20% of all victims killed by a youth, compared to 3% of all victims killed by an adult. In 1997, these percentages were 19% and 4%, respectively.

Between 1987 and 1996, 14% of all youths accused of homicide were female. In 1997, females represented 21% of youths accused. When expressed per 100,000 population, the rate of

female youths accused of homicide is one-quarter of the male youth rate (1.01 versus 3.52).

## **HOMICIDE AGAINST THE ELDERLY**

Canadian victimization studies such as the 1993 General Social Survey (GSS), 13 the 1996 International Criminal Victimization Survey (ICVS), 14 and national polls underline the perception of increasing crime sensed by certain vulnerable members of society, among them, women and the elderly, defined as persons 60 years of age and older.

#### Elderly people still at low risk

Since the mid-1970s, the declining trend in homicides involving elderly people has mirrored that of the national trend in homicides. The elderly continue to be a low risk age group for becoming a victim of homicide. Despite an increase from 50 homicides in 1996 to 72 in 1997, the homicide rate for the elderly in 1997 (1.46) was much lower than the rate of 1.92 for all age groups. Between 1987 and 1997, the rate for the elderly was 1.43, while the rates for persons in their 30s and 40s were 3.08 and 2.59, respectively. (Figure 8).

A greater proportion of elderly homicide victims were killed by a stranger (18%) than the proportion for victims of all ages (13%). In the cases of strangers killing an elderly person, most of the accused persons were less than 25 years of age.

Table 7

#### Youths (12-17 Years) Accused of Homicide, Canada, 1987-1997

|       | ,       | V   | 1       |      |        | Υ     | ouths Accused o | f Homicide                           |       |      |
|-------|---------|---|---------|------|--------|-------|-----------------|--------------------------------------|-------|------|
| Year  |         | Youth Population <sup>1</sup><br>(Aged 12-17 Years)<br>(000s) |         |      | Number |       |                 | Rate per 100,000<br>Youth Population |       |      |
| ica:  | Male    | Female  | Total   | Male | Female | Total | Male            | Female                               | Total |      |
| 1987  | 1,156.2 | 1,104.7   | 2,260.9 | 28   | 8      | 36    | 2.42            | 0.72                                 | 1.59  | 6.1  |
| 1988  | 1,149.7 | 1,099.8   | 2,249.5 | 44   | 3      | 47    | 3.83            | 0.27                                 | 2.09  | 8.9  |
| 1989  | 1,148.4 | 1,097.4   | 2,245.8 | 42   | 5      | 47    | 3.66            | 0.46                                 | 2.09  | 8.4  |
| 1990  | 1,157.3 | 1,102.8   | 2,260.1 | 35   | 12     | 47    | 3.02            | 1.09                                 | 2.08  | 8.5  |
| 1991  | 1,170.2 | 1,114.6   | 2,284.8 | 41   | 7      | 48    | 3.50            | 0.63                                 | 2.10  | 7.5  |
| 1992  | 1,187.4 | 1,128.3   | 2,315.7 | 53   | 5      | 58    | 4.46            | 0.44                                 | 2.50  | 9.0  |
| 1993  | 1,200.5 | 1,140.8   | 2,341.3 | 33   | 3      | 36    | 2.75            | 0.26                                 | 1.54  | 6.6  |
| 1994  | 1,210.0 | 1,150.8   | 2,360.8 | 52   | 6      | 58    | 4.30            | 0.52                                 | 2.46  | 10.7 |
| 1995  | 1,223.2 | 1,163.7   | 2,386.9 | 53   | 15     | 68    | 4.33            | 1.29                                 | 2.85  | 12.2 |
| 1996' | 1,237.9 | 1,179.6   | 2,417.5 | 47   | 3      | 50    | 3.80            | 0.25                                 | 2.07  | 9.2  |
| 1997  | 1,251.4 | 1,194.0   | 2,445.4 | 44   | 12     | 56    | 3.52            | 1.01                                 | 2.29  | 11.3 |

Population estimates at July 1st provided by Statistics canada, Census and Demographic Statistics, Demography Division

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1998.

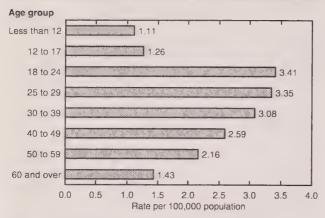
<sup>&</sup>lt;sup>13</sup> The General Social Survey is conducted by Statistics Canada. For more information, see – Gartner, R. and A. Doob 1994. Trends in Criminal Victimization, 1988-1993, Juristat, Catalogue 85-002, Vol. 14, No. 13. Ottawa: Statistics Canada.

<sup>14</sup> For more information, see – Besserer, S. 1997. Criminal Victimization: An International Perspective, Juristat, Catalogue 85-002XPE/F, Vol. 18, No. 6. Ottawa: Statistics Canada.

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Figure 8

#### Victim Homicide Rate for Selected Age Groups, Canada, 1987-1997



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1998.

## **METHODOLOGY**

The Homicide Survey has collected police-reported data on homicide incidents since 1961, including the characteristics of victims and accused. Whenever a homicide becomes known to the police, the investigating police department completes a survey questionnaire. This questionnaire remained virtually unchanged from 1961 to 1990. In 1991 and later in 1997, in an effort to respond to changing information needs, the survey was revised and expanded.

Note that the homicide "count" for each year reflects the number of homicides "reported" to police in that year, regardless of the date that the homicide actually occurred.

### **GLOSSARY OF TERMS**

**Homicide** occurs when a person directly or indirectly, by any means, causes the death of a human being. Homicide is either culpable (murder, manslaughter or infanticide) or not culpable (not an offence). (*Criminal Code of Canada, sections* 222 – 240).

**Murder** occurs when a person intentionally causes the death of another human being, or means to cause bodily harm that the person knows is likely to cause death.

First degree murder occurs when:

- a) it is planned and deliberate or,
- the victim is a person employed and acting in the course of his/her work for the preservation and maintenance of the public peace (e.g., police officer, correctional worker) or,
- the death is caused by a person committing or attempting to commit certain serious offences (e.g., sexual assault, kidnapping, hijacking).

Second degree murder is all murder that is not first degree.

Manslaughter is generally considered to be a homicide committed in the heat of passion caused by sudden provocation. It also includes other culpable homicides that are not murders or infanticides.

**Infanticide** occurs when a female causes the death of her newlyborn child, if her mind is considered disturbed from the effects of giving birth or effects of lactation.

Offence - one offence is counted for each victim of homicide.

Incident - an incident is defined as the occurrence of one (or more) criminal offence(s) during one single, distinct event, regardless of the number of victims. If there are multiple victims or multiple suspects, the offences must occur at the same location and at the same time if they are to be included within the same incident. The incident count will normally be lower than the victim (or offence) count due to incidents involving multiple victims.

Table 8

## Number of Homicides, 1961-1997

| Year              | Nfld. | P.E.I.       | N.S. | N.B. | Que.  | Ont.  | Man.  | Sask. | Alta. | B.C.  | Yukon | N.W.T. | Canada |
|-------------------|-------|--------------|------|------|-------|-------|-------|-------|-------|-------|-------|--------|--------|
| 1961              | 1     | 1            | 6    | 2    | 52    | 89    | 15    | 14    | 18    | 34    | 1     | _      | 233    |
| 1962              | _     | 1            | 10   | 8    | 62    | 76    | 19    | 13    | 18    | 55    | 3     | _      | 265    |
| 1963              | 3     | _            | 6    | 5    | 69    | 76    | 16    | 8     | 27    | 35    | 3     | 1      | 249    |
| 1964              | 5     |              | 13   | 5    | 52    | 81    | 16    | 20    | 25    | 32    | i     | 3      | 253    |
| 1965              | 6     | 4            | 10   | 5    | 63    | 77    | 15    | 15    | 20    | 57    | 3     | 2      | 277    |
| 1966              | 3     | 1            | 9    | 6    | 56    | 71    | 17    | 12    | 27    | 48    | _     | _      | 250    |
| 1967              | 1     | _            | 10   | 5    | 75    | 114   | 15    | 25    | 38    | 47    | 6     | 2      | 338    |
| 1968              | 5     | and the same | 9    | 5    | 102   | 104   | 28    | 23    | 25    | 73    | í     | _      | 375    |
| 1969              | 5     | 1            | 12   | 1    | 126   | 111   | 28    | 33    | 23    | 50    |       | 1      | 391    |
| 1970              | 1     | 1            | 15   | 8    | 141   | 115   | 29    | 24    | 42    | 78    | 6     | 7      | 467    |
| 1971              | 2     | _            | 16   | 10   | 124   | 151   | 33    | 29    | 45    | 61    | _     | 2      | 473    |
| 1972              | 2     | 2            | 14   | 11   | 157   | 141   | 36    | 28    | 37    | 88    | 3     | 2      | 521    |
| 1973              | 3     | _            | 19   | 17   | 155   | 160   | 38    | 23    | 36    | 87    | 4     | 4      | 546    |
| 1974              | 3     | 2            | 8    | 21   | 169   | 160   | 42    | 31    | 44    | 107   | 5     | 8      | 600    |
| 1975              | 4     | _            | 14   | 12   | 226   | 206   | 37    | 36    | 57    | 98    | 6     | 5      | 701    |
| 1976              | 6     | 2            | 25   | 14   | 205   | 183   | 31    | 34    | 68    | 88    | 4     | 8      | 668    |
| 1977              | 8     | 1            | 14   | 38   | 197   | 192   | 44    | 46    | 70    | 91    | 6     | 4      | 711    |
| 1978              | 9     | 4            | 13   | 27   | 180   | 182   | 39    | 32    | 84    | 85    | 2     | 4      | 661    |
| 1979              | 5     | _            | 17   | 11   | 186   | 175   | 44    | 36    | 56    | 90    | 4     | 7      | 631    |
| 1980              | 3     | 1            | 12   | 9    | 181   | 158   | 31    | 31    | 55    | 105   | 2     | 4      | 592    |
| 1981              | 4     | 1            | 11   | 17   | 186   | 170   | 41    | 29    | 73    | 110   | 1     | 5      | 648    |
| 1982              | 6     |              | 12   | 13   | 190   | 184   | 35    | 39    | 70    | 109   | 2     | 7      | 667    |
| 1983              | 6     | _            | 13   | 11   | 190   | 202   | 40    | 33    | 75    | 108   | . 1   | 3      | 682    |
| 1984              | 6     | _            | 15   | 14   | 198   | 190   | 43    | 30    | 54    | 110   | 2     | 5      | 667    |
| 1985              | 5     | 1            | 26   | 14   | 219   | 193   | 26    | 28    | 63    | 113   | 6     | 10     | 704    |
| 1986              | 4     | _            | 15   | 12   | 156   | 139   | 47    | 26    | 64    | 89    | 3     | 14     | 569    |
| 1987              | 5     | _            | 14   | 20   | 174   | 204   | 44    | 30    | 73    | 78    | _     | 2      | 644    |
| 1988              | 7     | 1            | 11   | 8    | 154   | 186   | 31    | 23    | 66    | 80    | 1     | 8      | 576    |
| 1989              | 5     | 1            | 16   | 18   | 215   | 175   | 43    | 22    | 67    | 86    | 2     | 7      | 657    |
| 1990              | _     | 1            | 9    | 12   | 184   | 182   | 39    | 36    | 74    | 110   | 1     | 12     | 660    |
| 1991              | 10    | 2            | 21   | 17   | 181   | 245   | 42    | 21    | 84    | 128   | _     | 3      | 754    |
| 1992              | 2     | _            | 21   | 11   | 166   | 242   | 29    | 32    | 92    | 122   | 2     | 13     | 732    |
| 1993              | 7     | 2            | 19   | 11   | 159   | 192   | 31    | 30    | 49    | 120   | _     | 7      | 627    |
| 1994              | 4     | 1            | 19   | 15   | 126   | 192   | 29    | 24    | 66    | 113   | 3     | 4      | 596    |
| 1995              | 5     | 1            | 17   | 14   | 135   | 181   | 27    | 21    | 60    | 120   | 4     | 3      | 588    |
| 1996 <sup>r</sup> | 7     | 1            | 18   | 9    | 154   | 187   | 45    | 32    | 53    | 125   | _     | 4      | 635    |
| 1997              | 6     | _            | 24   | 8    | 132   | 178   | 30    | 25    | 60    | 114   | 1     | 3      | 581    |
| Totals            | 164   | 33           | 533  | 444  | 5,497 | 5,864 | 1,195 | 994   | 1,958 | 3,244 | 89    | 174    | 20,189 |

Nil or zero.Revised.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1998.

Table 9

### Homicide Rates<sup>1</sup>, 1961-1997

| Year              | Nfld. | P.E.1. | N.S. | N.B. | Que. | Ont. | Man. | Sask.  | Alta. | B.C. | Yukon | N.W.T. | Canada |
|-------------------|-------|--------|------|------|------|------|------|--------|-------|------|-------|--------|--------|
| 1961              | 0.22  | 0.96   | 0.81 | 0.33 | 0.99 | 1.43 | 1.63 | 1.51   | 1.35  | 2.09 | 6.85  | 0.00   | 1.28   |
| 1962              | 0.00  | 0.93   | 1.38 | 1.32 | 1.15 | 1.20 | 2.03 | 1.40   | 1.31  | 3.31 | 20.00 | 0.00   | 1.43   |
| 1963              | 0.63  | 0.00   | 0.80 | 0.82 | 1.26 | 1.17 | 1.69 | 0.86   | 1.92  | 2.06 | 20.00 | 3.85   | 1.32   |
| 1964              | 1.04  | 0.00   | 1.72 | 0.82 | 0.93 | 1.22 | 1.67 | 2.12   | 1.75  | 1.83 | 6.67  | 11.11  | 1.31   |
| 1965              | 1.23  | 3.67   | 1.32 | 0.81 | 1.11 | 1.13 | 1.55 | 1.58   | 1.38  | 3.17 | 21.43 | 7.41   | 1.41   |
| 1966              | 0.61  | 0.92   | 1.19 | 0.97 | 0.97 | 1.02 | 1.77 | 1.26   | 1.85  | 2.56 | 0.00  | 0.00   | 1.25   |
| 1967              | 0.20  | 0.00   | 1.32 | 0.81 | 1.28 | 1.60 | 1.56 | 2.61   | 2.55  | 2.42 | 40.00 | 6.90   | 1.66   |
| 1968              | 0.99  | 0.00   | 1.17 | 0.80 | 1.72 | 1.43 | 2.88 | 2.40   | 1.64  | 3.64 | 6.67  | 0.00   | 1.81   |
| 1969              | 0.97  | 0.90   | 1.55 | 0.16 | 2.11 | 1.50 | 2.86 | 3.44   | 1.48  | 2.43 | 0.00  | 3.23   | 1.86   |
| 1970              | 0.19  | 0.91   | 1.92 | 1.28 | 2.34 | 1.52 | 2.95 | 2.55   | 2.63  | 3.67 | 35.29 | 21.21  | 2.19   |
| 1971              | 0.38  | 0.00   | 2.00 | 1.55 | 2.01 | 1.92 | 3.30 | 3.10   | 2.69  | 2.71 | 0.00  | 5.45   | 2.15   |
| 1972              | 0.37  | 1.76   | 1.74 | 1.69 | 2.53 | 1.77 | 3.59 | 3.03   | 2.18  | 3.81 | 14.78 | 5.12   | 2.34   |
| 1973              | 0.55  | 0.00   | 2.33 | 2.58 | 2.49 | 1.98 | 3.76 | 2.52   | 2.08  | 3.66 | 18.78 | 9.73   | 2.42   |
| 1974              | 0.54  | 1.72   | 0.98 | 3.15 | 2.69 | 1.95 | 4.12 | 3.40   | 2.50  | 4.36 | 23.58 | 19.32  | 2.62   |
| 1975              | 0.72  | 0.00   | 1.69 | 1.77 | 3.56 | 2.47 | 3.60 | 3.91   | 3.14  | 3.90 | 27.27 | 11.57  | 3.02   |
| 1976              | 1.06  | 1.68   | 2.99 | 2.02 | 3.19 | 2.17 | 3.00 | 3.64   | 3.63  | 3.46 | 17.70 | 17.94  | 2.84   |
| 1977              | 1.41  | 0.83   | 1.66 | 5.45 | 3.05 | 2.25 | 4.23 | 4.86   | 3.58  | 3.53 | 26.09 | 8.89   | 2.99   |
| 1978              | 1.58  | 3.28   | 1.54 | 3.85 | 2.78 | 2.11 | 3.74 | 3.35   | 4.14  | 3.24 | 8.37  | 8.77   | 2.75   |
| 1979              | 0.88  | 0.00   | 2.00 | 1.56 | 2.87 | 2.01 | 4.23 | 3.74   | 2.66  | 3.36 | 16.60 | 15.18  | 2.60   |
| 1980              | 0.52  | 0.81   | 1.40 | 1.27 | 2.77 | 1.80 | 2.99 | 3.20   | 2.50  | 3.81 | 8.16  | 8.57   | 2.41   |
| 1981              | 0.69  | 0.81   | 1.28 | 2.40 | 2.83 | 1.92 | 3.95 | 2.96   | 3.17  | 3.88 | 4.15  | 10.44  | 2.60   |
| 1982              | 1.04  | 0.00   | 1.39 | 1.83 | 2.88 | 2.06 | 3.34 | 3.94   | 2.94  | 3.78 | 8.10  | 14.00  | 2.65   |
| 1983              | 1.03  | 0.00   | 1.49 | 1.53 | 2.87 | 2.23 | 3.76 | 3.28   | 3.13  | 3.70 | 4.20  | 5.83   | 2.68   |
| 1984              | 1.03  | 0.00   | 1.71 | 1.94 | 2.98 | 2.06 | 4.00 | 2.95   | 2.25  | 3.72 | 8.30  | 9.42   | 2.60   |
| 1985              | 0.86  | 0.78   | 2.93 | 1.93 | 3.27 | 2.07 | 2.40 | 2.72   | 2.61  | 3.78 | 24.39 | 18.18  | 2.71   |
| 1986              | 0.69  | 0.00   | 1.68 | 1.65 | 2.32 | 1.47 | 4.30 | 2.52   | 2.62  | 2.95 | 12.10 | 25.27  | 2.17   |
| 1987              | 0.87  | 0.00   | 1.56 | 2.74 | 2.56 | 2.11 | 4.00 | 2.89   | 2.99  | 2.55 | 0.00  | 3.59   | 2.43   |
| 1988              | 1.21  | 0.77   | 1.22 | 1.09 | 2.24 | 1.88 | 2.81 | 2.23   | 2.68  | 2.56 | 3.72  | 14.21  | 2.14   |
| 1989              | 0.87  | 0.77   | 1.76 | 2.44 | 3.09 | 1.72 | 3.89 | . 2.15 | 2.68  | 2.68 | 7.30  | 12.17  | 2.40   |
| 1990              | 0.00  | 0.76   | 0.99 | 1.62 | 2.62 | 1.76 | 3.52 | 3.56   | 2.89  | 3.33 | 3.57  | 20.20  | 2.37   |
| 1991              | 1.72  | 1.53   | 2.29 | 2.27 | 2.56 | 2.34 | 3.78 | 2.09   | 3.23  | 3.79 | 0.00  | 4.89   | 2.68   |
| 1992              | 0.34  | 0.00   | 2.27 | 1.46 | 2.32 | 2.27 | 2.60 | 3.18   | 3.49  | 3.52 | 6.60  | 20.80  | 2.57   |
| 1993              | 1.20  | 1.51   | 2.04 | 1.46 | 2.20 | 1.78 | 2.77 | 2.98   | 1.83  | 3.37 | 0.00  | 11.04  | 2.17   |
| 1994              | 0.69  | 0.75   | 2.04 | 1.98 | 1.73 | 1.75 | 2.58 | 2.38   | 2.44  | 3.09 | 10.07 | 6.17   | 2.04   |
| 1995              | 0.87  | 0.74   | 1.82 | 1.85 | 1.84 | 1.63 | 2.38 | 2.07   | 2.19  | 3.20 | 13.11 | 4.55   | 1.99   |
| 1996 <sup>r</sup> | 1.23  | 0.73   | 1.91 | 1.18 | 2.08 | 1.66 | 3.96 | 3.14   | 1.90  | 3.25 | 0.00  | 5.99   | 2.12   |
| 1997              | 1.07  | 0.00   | 2.53 | 1.05 | 1.78 | 1.56 | 2.63 | 2.45   | 2.11  | 2.91 | 3.16  | 4.44   | 1.92   |

<sup>&</sup>lt;sup>1</sup> Rates are calculated per 100,000 population.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1998.

<sup>&</sup>lt;sup>2</sup> Estimates of population used:

<sup>1961-1990:</sup> Revised intercensal estimates 1991-1995: Final postcensal estimates 1996-1997: Revised postcensal estimates

As of 1971, population estimates were adjusted to reflect new methods of calculation.

Revised.

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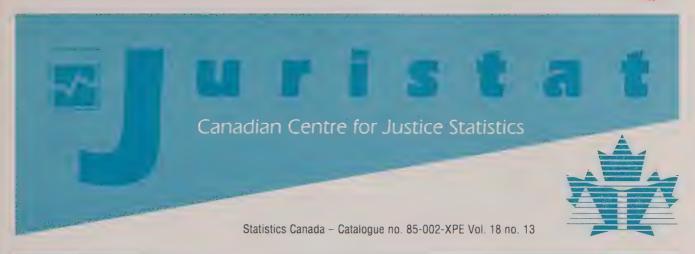
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## PRIVATE SECURITY AND PUBLIC POLICING IN CANADA

Karen Swol

### HIGHLIGHTS

- Private security personnel outnumbered police officers in both 1991 and 1996. In 1996, there were 59,090 police officers in Canada compared to 82,010 private security personnel: 12,230 private investigators and 69,780 security guards. As a whole, the number of private security personnel increased by 1% between 1991 and 1996, compared to a 4% drop in police officers.
- Security guards declined 4% between 1991 and 1996 at the national level, while private investigators increased 49% over the same period. Despite increases in the number of security guards between 1991 and 1996 in some provinces, the overall decrease in security guards can be attributed to the large drop seen in Quebec.
- There are no minimum education requirements for private security, while police officers must have a minimum of grade 12 education. As such, education levels were found to be higher among police officers than private security, as over 80% of police officers had attained levels higher than a high school diploma compared to 66% for private investigators and 53% for security guards.
- In terms of training, police officers are required to attend a police college or police training facility for three to six months of academic training, followed, in most cases, by six months to a year of field experience training. Training for private security is generally left up to the employer. Only two provinces, British Columbia and Newfoundland, have training requirements in order to receive a private security licence.
- Women had greater representation in private security than in policing. In 1996, 21% of private investigators and 20% of security guards were women, compared to 13% of police officers. Although the representation of women was lowest among police officers, the proportion of female officers has been growing steadily since the mid-1970's when it was less than 1%.
- Visible minorities were under-represented for both police officers and private investigators in 1996, while security guards had a higher than average representation. Visible minorities accounted for 10% of the employed labour force in Canada. This compares to 11% for security guards, but only 3% for police officers and 6% for private investigators. While visible minorities were under-represented in policing, Aboriginal persons were well-represented. In 1996, Aboriginal persons represented 3.0% of all police officers compared to 1.7% of the employed labour force.
- Employment income for police officers in Canada for 1995 was considerably higher than for private security. Police officers reported an average employment income of \$53,795, which was nearly \$20,000 more than private investigators earned and more than double the average income of security guards.



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November 1998 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

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## INTRODUCTION

In recent years both the number of police officers in Canada and the crime rate have been declining. However, the rates for many workplace or white-collar crimes, such as computer crimes, employee theft, and fraud, are increasing. Public police do not always have the resources to handle these "internal" crimes. In some cases, for example, a fraud has to be in the \$100,000 range for public police to give it priority. With cutbacks to police budgets occurring at the same time as the security demands of the public seem to be growing, the use of private security has been increasing.

Police officers differ considerably from private security personnel in the work they perform, the basic job requirements and training. Both police and private security play a role in society; however, the line between the two security professions is becoming less clearly defined. Police officers who walk the beat in front of commercial properties may now meet up with private security guards who have been hired by the shop keepers to patrol their storefronts as a deterrent to theft and break and enters. In general, this type of private security does not require a police presence nor does there exist a potential for danger. Some police forces have formed partnerships with private security in areas such as: secure storage of property and evidence, monitoring of alarm centres, guarding of prisoners while in lock-up or in transit, and video and audio taping of suspects being interviewed.<sup>2</sup>

This *Juristat* discusses the differences between public and private security and includes information on roles and responsibilities and minimum requirements and training. Data from the *Census of Population and Housing* provide counts and profiles of those working in the above occupations. These profiles include data on gender, age, education, salary, visible minorities and Aboriginal identity.

In this report the definition of private security personnel will include private investigators and security guards as defined in Statistic Canada's *Standard Occupational Classification* (see methodology section). It will not include persons who work in the manufacturing of alarm systems, or other such occupations that produce security devices or equipment, nor those who work for companies that monitor alarm systems.

An earlier Juristat titled, "Private Security and Public Policing in Canada"<sup>3</sup>, released in 1994, contained data on private investigators and security guards from the Census of Population and Housing for 1971, 1981 and 1991. Data from that Juristat are not comparable to the present data due to a change in the Standard Occupational Classification which affects the occupations that are included in both the private investigator and security guard categories. The 1991 Census data were classified using both the old 1980 Standard Occupational Classification and the new 1991 Standard Occupational Classification; however, the 1996 data were classified using only the new standard. This change in classification limits trend information back to 1991 only.

## **Roles and Responsibilities**

#### **Police**

There are Police Service Acts in each of the provinces that stipulate the duties of a police officer. A typical example is the *Police Services Act*<sup>4</sup> in Ontario, which outlines the duties as:

- Preserving the peace
- Preventing crimes and other offences

Gerden, Robert J. Private Security: A Canadian Perspective. Canada: Prentice Hall, 1998.

Stewart, Bob. "Breaking Barriers: Public Police and Private Security". <u>RCMP Gazette</u>. Vol. 59, No. 12, 1997.

Campbell, G. and Reingold, B. "Private Security and Public Policing in Canada". <u>Juristat.</u> Vol 14, No. 10., Canadian Centre for Justice Statistics, March 1994.

Police Services Act. 1990. Revised Statutes of Ontario, Chapter P.15.

- Assisting victims of crime
- Apprehending criminals
- Laying charges, prosecuting and participating in prosecutions

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- Executing warrants
- Performing the lawful duties that the chief of police assigns
- Completing the prescribed training

Police officers are responsible for serving and protecting the public. Their jurisdiction includes areas that are in the public domain. Police officers have powers of search, arrest and detention and are held accountable for their actions. Through tax dollars, Canadians pay for policing. In 1996, policing costs in Canada totalled \$5.9 billion or \$195 per Canadian<sup>5</sup>.

#### **Private Security**

See methodology section for a definition of **Private Investigators** and **Security Guards** used in this *Juristat*.

Private security differs from the public police in a number of ways. Private security personnel work for clients who pay them for services rendered. Their jurisdiction is the protection of their client and/or their client's property and it is the interests of the client that determine the duties of private security personnel. Private security personnel have the same powers of arrest, search and detention as an ordinary citizen does and these are stipulated in section 494 of the *Criminal Code of Canada*.

The two main types of private security are security guards and private investigators. The most recognizable difference between these two groups is that security guards are required to wear uniforms, whereas private investigators are not allowed to wear them. Security guards may be authorized to carry firearms under special circumstances (e.g. armoured car personnel), while private investigators are not permitted to do so.

The work of security guards is more visible as they are often controlling public passage to an area, performing security checks, patrolling inside and outside corporate buildings and securing the transportation of valuables. Private investigators, on the other hand, are involved in more covert operations and behind-the-scenes action and, therefore, have less contact or confrontation with the public. Their work varies from making telephone calls in the office, to secretly following and recording the movements of individuals, detecting theft and fraud, gathering evidence, and court appearances.

## **Minimum Requirements and Training**

#### **Police**

The minimum requirements for most police departments are: age 18 or older, grade 12 education or equivalency<sup>6</sup>, Canadian citizenship, valid driver's licence with good standing, medically and physically fit, fluency in English or French, good vision and hearing, and no criminal record. Although the minimum education requirement is grade 12 for most police forces,

preference is usually given to those with college or university degrees.

Once the applicants meet the basic requirements, the selection process generally requires that the applicants pass a series of tests that may include: aptitude, written communication, medical, psychological, physical, and driving tests.

Once the candidates meet all the requirements, they may be hired as recruits/cadets and must go to a police college or other police training facility for a period of three to six months. After successful completion of the academic training, they may be sworn in as constables and would likely go through a further six months to a year of field experience training with the police service.

#### **Private Security**

Private investigators and security guards working for a private investigation or security agency must be licensed by the province/territory. Each province/territory, with the exception of the Northwest Territories, has its own *Act* dealing with private investigators and security guards which stipulates the requirements to obtain a license and the regulations. The basic requirements to obtain a license are: 18 years of age or older (may vary slightly in some provinces), no criminal record for the past five years, and Canadian citizenship. There are two provinces, British Columbia and Newfoundland, which also have minimum training requirements in order to receive a licence. Licences must be renewed annually and can be revoked if the person does not comply with the requirements of the act or the regulations for a licence.

No licence is required if the private investigator or security guard is hired 'in house' which means that they are an employee of, for example, an insurance company, a court house, a law firm, or a store. The only exception to this is when private security personnel are hired by permanent commercial casinos (such as in Montreal, Hull, Niagara Falls, Rama), they must be licensed by the provincial gaming control commissions.<sup>7</sup>

Training for private investigators and security guards is generally the responsibility of the employer. There are some colleges in Canada that offer courses in law enforcement and security. There are also a few schools that offer specialized training for private investigators. Topics covered at these schools can include: surveillance, background investigations, domestic and child custody investigations, evidence gathering and presentation, lie detection, court appearance and testimony, missing persons, undercover operations, report writing, and others.

When compared to police officers, private security in Canada is characterized by the following: lower wages, minimum or no recruitment standards, higher percentage of part-time work, higher turnover rate, lower levels of education, and minimum or no training.<sup>8</sup>

Swol, Karen. Police Personnel & Expenditures in Canada – 1996 and 1997. Ottawa: Canadian Centre for Justice Statistics, December 1997.

<sup>&</sup>lt;sup>6</sup> Equivalency refers to successful results on a test administered by an accredited educational institute to represent equivalent to grade 12 education.

Gerden, Robert J. Private Security: A Canadian Perspective. Canada: Prentice Hall, 1998.

Marin, René J. <u>Policing in Canada</u>. Canada Law Book Inc., 1997, pg. 147.

# Counts of Public Police and Private Security

Data are estimates from the *Census of Population and Housing*, which includes persons aged 15 years and older, who were employed (full-time or part-time) in the week prior to Census day (see Methodology section for further information).

Counts for private investigators and security guards shown in this report may differ from those using other data sources. For example, provincial/territorial registrars have data showing the number of licences issued to private investigators and security guards. These data were not used due to some methodological limitations such as: the count of licences is not the same as a person count, the fact that a licence is not a requirement if the person works "in house", and persons having a licence are not necessarily employed in the private security field.

It should be noted that counts for police officers in this *Juristat* will differ from counts found in the *Police Administration Annual Survey* (Statistics Canada), as part-time police officers are included in this *Juristat* and not in the *Police Administration Annual Survey*. See methodology for a description of the *Police Administration Annual Survey*.

Private security personnel outnumbered police officers in both 1991 and 1996. There were 59,090 police officers in Canada in 1996 compared to 82,010 private security personnel: 12,230 private investigators and 69,780 security guards (Figure 1, Table 1). As a whole, the number of private security personnel increased by 1% between 1991 and 1996, compared to a 4% drop in police officers. At the national level, the number of security guards declined 4% from 1991, whereas private investigators increased 49% over the same period.

Private security personnel tended to have higher proportions of part-time workers than police officers. In 1996, 19% of private

investigators and 33% of security guards worked part-time compared to only 7% of police officers. Unemployment rates in 1996 also differed among private security and police officers. Police officers had an unemployment rate of 2%, compared to 5% for private investigators and 9% for security guards<sup>9</sup>.

Some police services in Canada also have security guards as part of their civilian personnel. Between 1986 and 1996, the

Figure 1

# Number of Police Officers, Private Investigators and Security Guards in Canada, 1991 and 1996



Source: Census of Population and Housing, 1991 and 1996, Statistics Canada.

Table 1

## Police Officers, Private Investigators, and Security Guards<sup>1</sup>, 1991 and 1996

|                       | Police Officers |        | Pr       | Private Investigators |        |          | Security Guards |        |          |
|-----------------------|-----------------|--------|----------|-----------------------|--------|----------|-----------------|--------|----------|
|                       | 1991            | 1996   | % Change | 1991                  | 1996   | % Change | 1991            | 1996   | % Change |
| Newfoundland          | 995             | 880    | -11.6    | 85                    | 70     | -17.6    | 1,250           | 1,220  | -2.4     |
| Prince Edward Island  | 205             | 210    | 2.4      |                       |        |          | 315             | 305    | -3.2     |
| Nova Scotia           | 1,675           | 1,595  | -4.8     | 235                   | 150    | -36.2    | 2,970           | 2,705  | -8.9     |
| New Brunswick         | 1,475           | 1,480  | 0.3      | 145                   | 140    | -3.4     | 1,940           | 2,145  | 10.6     |
| Quebec                | 16,415          | 16,315 | -0.6     | 2.055                 | 4.715  | 129.4    | 22,310          | 16.445 | -26.3    |
| Ontario               | 23,590          | 21,975 | -6.8     | 3,335                 | 4,455  | 33.6     | 27,920          | 28,845 | 3.3      |
| Manitoba              | 2,275           | 2,540  | 11.6     | 340                   | 250    | -26.5    | 2,405           | 2,540  | 5.6      |
| Saskatchewan          | 2,500           | 2,055  | -17.8    | 220                   | 205    | -6.8     | 1,725           | 1,695  | -1.7     |
| Alberta               | 4,955           | 4,840  | -2.3     | 775                   | 825    | 6.5      | 5,305           | 5,990  | 12.9     |
| British Columbia      | 6,830           | 6,810  | -0.3     | 1.010                 | 1,390  | 37.6     | 6,540           | 7.665  | 17.2     |
| Yukon                 | 105             | 120    | 14.3     | -                     | 15     |          | 70              | 70     | 0.0      |
| Northwest Territories | 255             | 280    | 9.8      | **-                   |        |          | 135             | 155    | 14.8     |
| Canada                | 61,280          | 59,090 | -3.6     | 8,215                 | 12,230 | 48.9     | 72,880          | 69,780 | -4.3     |

<sup>&</sup>lt;sup>1</sup> Counts for police officers, private investigators and security guards are estimates from the 1991 and 1996 Census of Population and Housing and represent persons aged 15 years and older who were employed (full-time or part-time) in the week prior to Census Day.

<sup>&</sup>lt;sup>9</sup> Statistics Canada. Census of Population and Housing. Custom tabulation.

<sup>.</sup> figures not appropriate or not applicable

<sup>-</sup> nil or zero

<sup>---</sup> too few cases to be shown

Totals may not add up due to random rounding to base 5 for Census data.

number of security guards employed by police services in Canada increased 86%, from 398 to 74510

For police officers, Saskatchewan showed the largest drop in the number of officers (-18%) since 1991, followed by Newfoundland (-12%), Ontario (-7%) and Nova Scotia (-5%). Increases were noted in the Yukon (+14%), Manitoba (+12%) and the Northwest Territories (+10%).

In the case of private investigators, Quebec had the largest increase (+129%), followed by British Columbia (+38%) and Ontario (+34%). Three provinces had notable decreases: Nova Scotia (-36%), Manitoba (-27%) and Newfoundland (-18%).

The number of security guards also showed large increases in some jurisdictions since 1991: British Columbia (+17%), Northwest Territories (+15%), Alberta (+13%), and New Brunswick (+11%). Despite these increases, the large drop in the number of security guards in Quebec (-26%) led to the overall decrease at the national level. This drop, along with the large increase in the number of private investigators in Quebec (+129%), may have been due in part to some labour disputes among security guards during this period, as well as the changing nature of security requirements such as: investigations for fraud, electronic surveillance, and alarm systems.

Comparing jurisdictions, Manitoba and Quebec had the most police officers per capita in 1996 (Table 2). It should be noted that Quebec uses more "temporary" police officers than other provinces. As these are included in the Census data, the number of police officers per 100,000 population in Quebec is 12% higher than the average for all provinces. Using police-reported data from the Police Administration Annual Survey, which excludes temporary officers, Quebec's rate is only 5% above the average.

Conversely, both Manitoba and Quebec showed a slightly lower than average rate of security guards per capita. Security guards were most prevalent in Nova Scotia and New Brunswick, and least prevalent in Saskatchewan. Quebec had the most private investigators per 100,000 population, while rates were generally lowest in the Atlantic provinces. Overall, Quebec, New Brunswick and Ontario had the highest rates per capita for a combined total of public and private security, while Prince Edward Island, Newfoundland, and Saskatchewan had the lowest.

## More women in private security

Women had a higher representation in private security than in public policing for 1996 (Table 3). Women comprised 21% of private investigators and 20% of security guards, compared to 13% of police officers. Although the proportion of females was lowest among police officers, it should be noted that the proportion has been increasing steadily since the mid-1970's, when it was less than 1%.

Among the provinces and territories, Ontario generally had the highest representation of women for both police officers and private security, while the Atlantic provinces tended to have lower representations.

Table 2

## Police Officers, Private Investigators and Security Guards<sup>1</sup>, Showing Rates per 100,000, 1996

|                                    | 1996                    | Police ( | Officers            | Private Inv | vestigators         | Security | Guards              | Total   |                  |
|------------------------------------|-------------------------|----------|---------------------|-------------|---------------------|----------|---------------------|---------|------------------|
|                                    | Population <sup>2</sup> | Number   | Rate per<br>100,000 | Number      | Rate per<br>100,000 | Number   | Rate per<br>100,000 | Number  | Rate per 100,000 |
| Newfoundland                       | 569,563                 | 880      | 155                 | 70          | 12                  | 1,220    | 214                 | 2,170   | 381              |
| Prince Edward Island               | 136,634                 | 210      | 154                 |             |                     | 305      | 223                 | 515     | 377              |
| Nova Scotia                        | 941,598                 | 1,595    | 169                 | 150         | 16                  | 2,705    | 287                 | 4,450   | 473              |
| New Brunswick                      | 760,780                 | 1,480    | 195                 | 140         | 18                  | 2,145    | 282                 | 3,765   | 495              |
| Quebec                             | 7.396,727               | 16.315   | 221                 | 4,715       | 64                  | 16,445   | 222                 | 37,475  | 507              |
| Ontario                            | 11,271,834              | 21,975   | 195                 | 4,455       | 40                  | 28,845   | 256                 | 55,275  | 490              |
| Manitoba                           | 1.137.297               | 2,540    | 223                 | 250         | 22                  | 2.540    | 223                 | 5.330   | 469              |
| Saskatchewan                       | 1.017.452               | 2,055    | 202                 | 205         | 20                  | 1,695    | 167                 | 3,955   | 389              |
| Alberta                            | 2.785.755               | 4,840    | 174                 | 825         | 30                  | 5,990    | 215                 | 11,655  | 418              |
| British Columbia                   | 3,843,647               | 6,810    | 177                 | 1.390       | 36                  | 7,665    | 199                 | 15.865  | 413              |
| Yukon <sup>3</sup>                 | 31,400                  | 120      | 382                 | 15          | 48                  | 70       | 223                 | 205     | 653              |
| Northwest Territories <sup>3</sup> | 66,771                  | 280      | 419                 |             |                     | 155      | 232                 | 435     | 651              |
| Canada                             | 29,959,458              | 59,090   | 197                 | 12,230      | 41                  | 69,780   | 233                 | 141,100 | 471              |

Counts for police officers, private investigators and security guards are from the 1996 Census of Population and Housing and represent persons aged 15 years and older who were employed (full-time or part-time) in the week prior to Census Day.

<sup>&</sup>lt;sup>10</sup> Statistics Canada. *Police Administration Annual Survey.* Custom tabulation.

Populations represent updated postcensal estimates for 1996 at July 1st

Caution should be used when viewing rates for the territories due to the sparse populations

figures not appropriate or not applicable

<sup>-</sup> too few cases to be shown

Totals may not add up due to random rounding to base 5 for the Census data.

#### Police Officers, Private Investigators and Security Guards<sup>1</sup> by Gender, 1996

|                       | Police Officers |        |        |          | Private Investigators |        |        |          | Security Guards |        |        |          |
|-----------------------|-----------------|--------|--------|----------|-----------------------|--------|--------|----------|-----------------|--------|--------|----------|
|                       | Male            | Female | Total  | % female | Male                  | Female | Total  | % female | Male            | Female | Total  | % female |
| Newfoundland          | 800             | 80     | 880    | 9        | 65                    | 10     | 70     | 14       | 1,080           | 140    | 1,220  | 11       |
| Prince Edward Island  | 195             | 15     | 210    | 7        |                       | -      |        | -        | 265             | 35     | 305    | 11       |
| Nova Scotia           | 1,450           | 145    | 1.595  | 9        | 120                   | 30     | 150    | 20       | 2,195           | 505    | 2,705  | 19       |
| New Brunswick         | 1,385           | 95     | 1.480  | 6        | 110                   | 30     | 140    | 21       | 1,810           | 330    | 2.145  | 15       |
| Quebec                | 14,720          | 1,595  | 16,315 | 10       | 4,065                 | 645    | 4,715  | 14       | 12,540          | 3,905  | 16,445 | 24       |
| Ontario               | 18,685          | 3,285  | 21,975 | 15       | 3,370                 | 1,085  | 4,455  | 24       | 22,630          | 6,215  | 28,845 | 22       |
| Manitoba              | 2,160           | 375    | 2,540  | 15       | 220                   | 25     | 250    | 10       | 2,210           | 325    | 2,540  | 13       |
| Saskatchewan          | 1,760           | 295    | 2.055  | 14       | 145                   | 55     | 205    | 27       | 1,440           | 260    | 1.695  | 15       |
| Alberta               | 4,325           | 520    | 4,840  | 11       | 590                   | 230    | 825    | 28       | 4,910           | 1,080  | 5,990  | 18       |
| British Columbia      | 5.780           | 1.035  | 6,810  | 15       | 965                   | 430    | 1,390  | 31       | 6,450           | 1,220  | 7,665  | 16       |
| Yukon                 | 100             | 20     | 120    | 17       | 15                    | -      | 15     | -        | 55              | 15     | 70     | 21       |
| Northwest Territories | 240             | 35     | 280    | 13       |                       | -      | ~ ~    | -        | 125             | 30     | 155    | 19       |
| Canada                | 51,600          | 7,490  | 59,090 | 13       | 9,680                 | 2,550  | 12,230 | 21       | 55,715          | 14,065 | 69,780 | 20       |

<sup>&</sup>lt;sup>1</sup> Counts for police officers, private investigators and security guards are estimates from the 1996 Census of Population and Housing and represent persons aged 15 years and older who were employed (full-time or part-time) in the week prior to Census Day.

# Age differences between police officers and private security

There were considerable age differences between persons employed in private security and those employed as police officers (Figure 2, Table 4). There was a much higher percentage of private security personnel under the age of 25 and over the age of 55. Police officers were more likely to retire by the time they reached 55 years of age, which explains the low percentages in that age group. By contrast, private security work does not have an upper age limit and the work can accommodate older individuals. Further, a number of retired police officers and military personnel have taken up work in private security. The large number of persons under the age of 25 working in private security may be due to the fact that less education and training is required in that field.

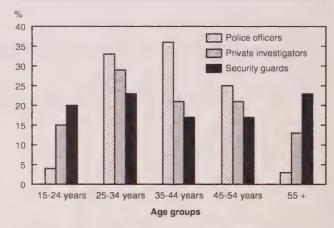
Female police officers tended to be younger than males. Over two-thirds (68%) of the women were below the age of 35, compared to only 32% of the men, which is not surprising given the recent efforts to recruit more women. Among the private investigators and security guards, the most noticeable difference between male and female representation was found in the 55 years and older age group. For both occupations, the percentage of males was much higher than for females.

# Police officers have higher education levels than private security

Due to the minimum education requirements for police officers compared to private security personnel, differences in education levels are not unexpected. In 1996, 81% of police officers had attained levels of education greater than a high school diploma, compared to 66% of private investigators and 53% of security

Age of Police Officers,
Private Investigators and Security Guards,

Canada, 1996



Source: Census of Population and Housing, 1996, Statistics Canada.

guards (Figure 3, Table 5). Further, 14% of police officers had university degrees, compared to 10% of private investigators and 7% of security guards.

Education levels differed among the sexes for all groups. For police officers, females had generally attained higher levels of education and were nearly twice as likely as males to be university graduates. This could be due to the increased number of females who have come into policing in recent years, where preference has been given to those with university degrees.

<sup>...</sup> figures not appropriate or not applicable

<sup>-</sup> nil or zero

<sup>---</sup> too few cases to be shown

Totals may not add up due to random rounding to base 5 for Census data.

Table 4

## Percentage of Male and Female Police Officers, Private Investigators, and Security Guards<sup>1</sup> by Age, Canada, 1996

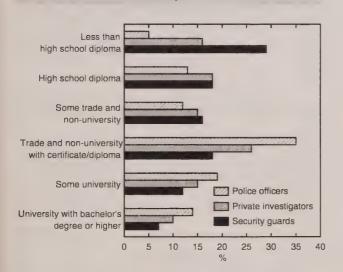
|                       | Total       | 15 to 24 | 4 Years  | 25 to 34 | 25 to 34 Years |        | 35 to 44 Years |        | 45 to 54 Years |        | 55 Years & Older |     |
|-----------------------|-------------|----------|----------|----------|----------------|--------|----------------|--------|----------------|--------|------------------|-----|
|                       | All<br>Ages | Number   | All Ages | Number   | All Ages       | Number | All Ages       | Number | All Ages       | Number | All Ages         |     |
|                       |             |          | %        |          | ₩              |        | %              |        | %              |        | %                | %   |
| Police Officers       |             |          |          |          |                |        |                |        |                |        |                  |     |
| Male                  | 51,600      | 1,520    | 3        | 14,935   | 29             | 19.220 | 37             | 14.320 | 28             | 1,615  | 3                | 100 |
| Female                | 7,495       | 825      | 11       | 4.280    | 57             | 1,845  | 25             | 490    | 7              | 55     | 1                | 100 |
| Total                 | 59,090      | 2,335    | 4        | 19,215   | 33             | 21,065 | 36             | 14,805 | 25             | 1,665  | 3                | 100 |
| Private Investigators |             |          |          |          |                |        |                |        |                |        |                  |     |
| Male                  | 9,680       | 1.410    | 15       | 2.735    | 28             | 1,900  | 20             | 2.160  | 22             | 1,475  | 15               | 100 |
| Female                | 2,550       | 435      | 17       | 865      | 34             | 720    | 28             | 395    | 15             | 140    | 5                | 100 |
| Total                 | 12,230      | 1,850    | 15       | 3,600    | 29             | 2,620  | 21             | 2,550  | 21             | 1,615  | 13               | 100 |
| Security Guards       |             |          |          |          |                |        |                |        |                |        |                  |     |
| Male                  | 55,715      | 11.160   | 20       | 13.035   | 23             | 8,345  | 15             | 9.050  | 16             | 14.120 | 25               | 100 |
| Female                | 14,065      | 2,465    | 18       | 3.130    | 22             | 3,300  | 23             | 3.085  | 22             | 2.085  | 15               | 100 |
| Total                 | 69,780      | 13,625   | 20       | 16,165   | 23             | 11,645 | 17             | 12,135 | 17             | 16,205 | 23               | 100 |

Counts for police officers, private investigators and security guards are estimates from the 1996 Census of Population and Housing and represent persons aged 15 years and older who were employed (full-time or part-time) in the week prior to Census Day.

Totals may not add up due to random rounding to base 5 for Census data.

Figure 3

#### Highest Level of Education for Police Officers, Private Investigators and Security Guards, Canada, 1996



Source: Census of Population and Housing, 1996, Statistics Canada.

However, when age differences were controlled for, female police officers still had higher levels of education. For private investigators, females also generally had higher levels of education than their male counterparts. The reverse was true for security guards.

# Visible minorities have higher representation in private security

See Methodology section for a definition of visible minorities.

In Canada, for 1996, visible minorities (not including Aboriginal persons) made up 10% of the employed labour force (Table 6). Public police fell behind the private security field when it came to employing visible minorities. Visible minorities accounted for 3% of police officers, compared to 6% of private investigators and 11% of security guards. While programs have been established in a number of police services to encourage visible minorities to apply for police officer positions, in many cases, police services have still experienced difficulty in recruiting visible minorities.

# Aboriginal persons well represented in both public and private security

See Methodology section for a definition of Aboriginal persons.

Aboriginal persons made up 1.7% of those employed in Canada for 1996 (Table 7). The percentage of Aboriginal police officers (3.0%) and security guards (2.9%) exceeded the national representation, while the percentage of Aboriginal private investigators (1.3%) was below the national level. Part of the reason for the high representation among police officers is the recent trend towards self-administered First Nations Police Services (Aboriginal police officers policing in their own communities).

Table 5

### Highest Level of Education for Police Officers, Private Investigators and Security Guards<sup>1</sup>, Canada, 1996

|   | Police Officers |        | Private Investigators |      |        | Security Guards |      |        |       |
|---|-----------------|--------|-----------------------|------|--------|-----------------|------|--------|-------|
|   | Male            | Female | Total                 | Male | Female | Total           | Male | Female | Total |
|   |                 | %      |                       |      | %      |                 |      | %      |       |
| Less than High School Diploma                   | 6               | 4      | 5                     | 17   | 14     | 16              | 28   | 32     | 29    |
| High School Diploma                             | 14              | 8      | 13                    | 18   | 17     | 18              | 17   | 19     | 18    |
| Some Trade & Non-University                     | 13              | 8      | 12                    | 15   | 13     | 15              | 17   | 14     | 16    |
| Trade & Non-University with Certificate/Diploma | 35              | 33     | 35                    | 26   | 27     | 26              | 18   | 20     | 18    |
| Some University                                 | 19              | 22     | 19                    | 15   | 17     | 15              | 13   | 9      | 12    |
| University with Bachelor's Degree or Higher     | 13              | 25     | 14                    | 10   | 12     | 10              | 8    | 6      | 7     |
| Total   | 100             | 100    | 100                   | 100  | 100    | 100             | 100  | 100    | 100   |

<sup>&#</sup>x27; Counts for police officers, private investigators and security guards are estimates from the 1996 Census of Population and Housing and represent persons aged 15 years and older who were employed (full-time or part-time) in the week prior to Census Day.

Totals may not add up due to rounding.

#### Table 6

## Percentage of Police Officers, Private Investigators, and Security Guards<sup>1</sup> Who Are Visible Minorities<sup>2</sup>, Canada, 1996

|   | Total Number      | Number of<br>Visible<br>Minorities | Visible Minorities<br>as a Percentage<br>of Total |
|---|-------------------|------------------------------------|---|
|   |                   |                                    | %   |
| Police Officers Male Female Total                                 | 51,600            | 1,435                              | 3   |
|   | 7,490             | 295                                | 4   |
|   | <b>59,090</b>     | <b>1,725</b>                       | <b>3</b>  |
| Private Investigators Male Female Total                           | 9,680             | 665                                | 7   |
|   | 2,550             | 95                                 | 4   |
|   | <b>12,230</b>     | <b>765</b>                         | <b>6</b>  |
| Security Guards Male Female Total                                 | 55,715            | 6,805                              | 12  |
|   | 14,065            | 1,010                              | 7   |
|   | <b>69,780</b>     | <b>7,815</b>                       | ~ 11  |
| All Occupations <sup>3</sup> Male Female Total                    | 7,191,125         | 709,995                            | 10  |
|   | 6,127,615         | 610,880                            | 10  |
|   | <b>13,318,740</b> | <b>1,320,865</b>                   | <b>10</b>   |
| Canada Population 15 Years & Older <sup>4</sup> Male Female Total | 11,022,455        | 1,166,790                          | 11  |
|   | 11,606,470        | 1,252,350                          | 11  |
|   | <b>22,628,925</b> | <b>2,419,140</b>                   | <b>11</b>   |

<sup>1</sup> Counts for police officers, private investigators and security guards are estimates from the 1996 Census of Population and Housing and represent persons aged 15 years and older who were employed (full-time or part-time) in the week prior to Census Day.

<sup>&</sup>lt;sup>2</sup> Census Data for persons in a visible minority does not include aboriginal persons.

Includes those employed as police officers, private investigators, security guards and all other occupations in Canada.

Includes all persons aged 15 years and older regardless of their employment status.

Totals may not add up due to random rounding to base 5.

#### Percentage of Police Officers, Private Investigators, and Security Guards¹ Who Are Aboriginal, Canada, 1996

|   | Total Number · | Number of<br>Aboriginal<br>Persons | Aboriginal Persons<br>as a Percentage<br>of Total |
|---|----------------|------------------------------------|---|
|   |                |                                    | %   |
| Police Officers                                 |                |                                    |   |
| Male  | 51,600         | 1,430                              | 2.8   |
| Female  | 7,490          | 355                                | 4.7   |
| Total   | 59,090         | 1,780                              | 3.0   |
| Private Investigators                           |                |                                    |   |
| Male  | 9,680          | 115                                | 1.2   |
| Female  | 2,550          | 50                                 | 2.0   |
| Total   | 12,230         | 160                                | 1.3   |
| Security Guards                                 |                |                                    |   |
| Male  | 55,715         | 1,645                              | 3.0   |
| Female  | 14,065         | 365                                | 2.6   |
| Total   | 69,780         | 2,010                              | 2.9   |
| All Occupations <sup>2</sup>                    |                |                                    |   |
| Male  | 7,191,125      | 118,700                            | 1.7   |
| Female  | 6,127,615      | 111,110                            | 1.8   |
| Total   | 13,318,740     | 229,810                            | 1.7   |
| Canada Population 15 Years & Older <sup>3</sup> |                |                                    |   |
| Male  | 11,022,455     | 247,385                            | 2.2   |
| Female  | 11,606,470     | 271,210                            | 2.3   |
| Total   | 22,628,925     | 518,585                            | 2.3   |

<sup>1</sup> Counts for police officers, private investigators and security guards are estimates from the 1996 Census of Population and Housing and represent persons aged 15 years and older who were employed (full-time or part-time) in the week prior to Census Day.

# Police have significantly higher employment incomes than private security

Data in Table 8 are based on estimates of average employment income from the *Census of Population and Housing* and represent full-year, full-time workers, aged 15 years and older with employment income in 1995. Average employment income includes salary and wages, overtime, bonuses, etc.

Average employment income for police officers in Canada for 1995 was considerably higher than for those in private security. Police officers (includes all ranks) reported earning \$53,795, which was nearly \$20,000 more than private investigators and more than double the average income of security guards. In addition to the lower education and training requirements for the private security field, other reasons for lower salaries include the fact that private security must compete for contracts with other similar firms in a very competitive market, and that there is a high turnover rate among the employees.

Police officers in the territories reported the highest average employment incomes, followed by British Columbia and Ontario. Salaries in the territories were most likely higher due to the high

cost of living in the area. Prince Edward Island and Nova Scotia had the lowest average employment incomes for police officers.

Among the provinces, private investigators reported the highest average employment income in Saskatchewan, followed by Alberta, while Nova Scotia and Quebec had the lowest average incomes. Security guards earned the most in Ontario and Quebec, with the lowest average income found in Manitoba.

Wage gaps were noted between the sexes for all three sectors. Women police officers made, on average, 19% less than men. Wage scales for police officers are consistent for both sexes, however the difference in salary between males and females is driven by the greater proportion of young female officers who would tend to have less seniority and experience. In 1996, over 90% of female officers were at the constable level which is the lowest paid rank. This difference is driven by the greater proportion of young female officers, who would tend to have less seniority and be at lower paid ranks than older officers. Private security showed a smaller wage gap between males and females. Female private investigators earned, on average, around 13% less than males, while among the security guards, females earned around 11% less than males.

Includes those employed as police officers, private investigators, security guards and all other occupations in Canada.

Includes all persons aged 15 years and older regardless of their employment status.

Totals may not add up due to random rounding to base 5 for Census data

<sup>11</sup> Swol, Karen. <u>Police Personnel and Expenditures in Canada - 1995 and 1996</u>. Ottawa: Canadian Centre for Justice Statistics, February 1997.

#### Average Annual Employment Income<sup>1</sup> for Police Officers, Private Investigators, and Security Guards, 1995

|                       | Police Officers |        |        | Priva  | Private Investigators |        | Security Guards |        |        | Total All Occupations <sup>2</sup> |        |        |
|-----------------------|-----------------|--------|--------|--------|-----------------------|--------|-----------------|--------|--------|------------------------------------|--------|--------|
|                       | Male            | Female | Total  | Male   | Female                | Total  | Male            | Female | Total  | Male                               | Female | Total  |
|                       |                 | \$     |        |        | \$                    |        |                 | \$     |        |                                    | \$     |        |
| Newfoundland          | 51,067          | 47,144 | 50,743 | ***    |                       |        | 26,358          | 15,004 | 25,104 | 40,064                             | 26,353 | 34,142 |
| Prince Edward Island  | 47,573          |        | 47,112 |        | _                     |        | 21,144          |        | 21,014 | 33,741                             | 25,129 | 30,039 |
| Nova Scotia           | 49,410          | 41.657 | 48.810 | 26,790 |                       | 27.048 | 22.165          | 20.541 | 21.994 | 37,398                             | 26.093 | 32,824 |
| New Brunswick         | 52.295          | 44.463 | 51,927 | 37.390 | ~~~                   | 36,478 | 22,318          | 22,369 | 22,322 | 37,811                             | 25,461 | 32,865 |
| Quebec                | 54,549          | 45,688 | 53,806 | 30.955 | 24.967                | 30,227 | 26,461          | 23,009 | 26,092 | 39.340                             | 28,449 | 35,021 |
| Ontario               | 55,470          | 45,462 | 54.098 | 37,459 | 32,823                | 36,516 | 26.807          | 23,976 | 26,403 | 45,477                             | 32.645 | 40.281 |
| Manitoba              | 52.585          | 38.004 | 50.580 | 31,848 |                       | 31.823 | 20.742          | 20.408 | 20.714 | 36,630                             | 26,260 | 32,564 |
| Saskatchewan          | 54,575          | 41,829 | 53,272 | 44,084 | 29.053                | 38.709 | 23,329          | 20,260 | 22.944 | 35,289                             | 25.227 | 31,402 |
| Alberta               | 54,794          | 41.787 | 53.531 | 41.324 | 26.957                | 37,902 | 22.523          | 20.270 | 22.134 | 42,725                             | 28.091 | 37,097 |
| British Columbia      | 57.520          | 45.805 | 55.971 | 36.463 | 33.718                | 35,690 | 25.795          | 23,888 | 25,563 | 44,784                             | 31,218 | 39,414 |
| Yukon                 | 63,869          |        | 62,761 |        | -                     |        | 20,100          |        |        | 47.050                             | 37,715 | 42,786 |
| Northwest Territories | 67,421          |        | 65,321 |        | -                     |        | 31,364          |        | 30,963 | 52,144                             | 40,037 | 47,108 |
| Canada                | 54,946          | 44,734 | 53,795 | 35,047 | 30,382                | 34,193 | 25,573          | 22,829 | 25,223 | 42,488                             | 30,130 | 37,556 |

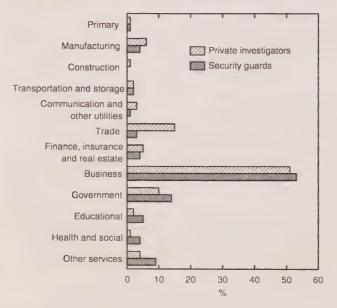
Data on average annual employment income are estimates from the 1996 Census of Population and Housing and represent persons aged 15 years and older with employment income, who worked full year, full-time during 1995.

## **Industry Breakdown**

Data contained in Figure 4 are estimates from the *Census of Population and Housing* and represent persons aged 15 years and older, who reported being employed in the week prior to Census Day (Employed Labour Force). The data are organized according to Statistics Canada's *Standard Industrial Classification*.

Figure 4

## Private Investigators and Security Guards by Industry Sector, Canada, 1996



Source: Census of Population and Housing, 1996, Statistics Canada.

The majority of both private investigators and security guards were found to be employed in the business services sector, which is the sector that contains the private security and security guard agencies. Within the government sector, private investigators were somewhat split between the federal, provincial/territorial and local level of government. Private investigators were also higher in the trade sector, the manufacturing sector and the finance, insurance and real estate sector. Security guards were found in the education sector and other services.

## Methodology

The data source used for this *Juristat* was the *Census of Population and Housing*. The Census collects data on every person in Canada based on where he/she lives and is conducted every five years. There are two types of questionnaires that are used to collect the data: a short form and a long form. The long form goes out to one in every 5 households in Canada and represents a 20% sample, while the remaining households receive the short form. The data used for this *Juristat* are from the 20% sample which have been weighted to the national level.

The population universe used throughout this *Juristat*, with the exception of the data presented for salaries, was the "Employed Labour Force" which includes:

"persons 15 years of age and over, excluding institutional residents, who, during the week (Sunday to Saturday) prior to Census Day: a) did any work at all for pay or in self-employment; or b) were absent from their job or business for the entire week because of vacation, illness, a labour dispute at their place of work or other reasons." The population universe used for

<sup>&</sup>lt;sup>2</sup> Total All Occupations includes police officers, private investigators, security guards and all other occupations in Canada

nil or zero

<sup>---</sup> too few cases to be shown

<sup>12</sup> Statistics Canada. <u>1996 Census Dictionary</u>. Ottawa: Industry Canada, 1997. 1996 Census of Canada. p. 49.

data on salaries included: persons aged 15 years and older, with employment income, who worked full-year, full-time in 1995.

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Data from the Census for 1991 and 1996 were requested by occupational classification. A new *Standard Occupational Classification* was introduced in 1991, meaning that Census data prior to 1991 cannot be compared using the standard occupational groups, since the types of occupations included in the earlier categories and definitions have changed considerably.

In the 1991 Standard Occupational Classification, Private Investigators (G625 Other Protective Services) include occupations such as: Alarm Investigator, Corporate Security Officer, Private Detective, Private Investigator, Retail Loss Prevention Officer, Detective Agency Supervisor, Fire Prevention Officer (except firefighter), Floorwalker, Store Detective (retail). This group conducts investigations to locate missing persons, obtains information for use in civil and criminal litigation matters or other purposes, investigates unlawful acts of employees or patrons of the business, prevents shoplifting, etc. <sup>13</sup>

Security Guards (G631 Security Guards and Related Occupations) include occupations such as: Armoured Car Driver, Bodyguard, Plant Guard, School Crossing Guard, Automatic Teller Machine Guard, Bouncer, Commissionaire (security), Night Watchman/woman, Patrolman/woman (guard), Hand-luggage Inspector, Airport Security Guard, Vault Custodian, etc. Security guards control access to buildings, patrol assigned areas, enforce security regulations of a business, perform security checks of passengers and luggage at airports, drive and guard armoured trucks containing money or valuables, supervise and coordinate activities of other security guards.<sup>14</sup>

Visible minorities "are persons (other than Aboriginal persons), who are non-Caucasian in race or non-white in colour...(Chinese, South Asian, Black, Arab/West Asian, Filipino, South East Asian, Latin American, Japanese and Korean)<sup>115</sup>.

Aboriginal persons refers to those "who reported identifying with at least one Aboriginal Group, i.e. North American Indian, Métis or Inuit (Eskimo) and/or those who reported being a Treaty Indian or a Registered Indian as defined by the *Indian Act* of Canada and/or who were members of an Indian Band or First Nation"<sup>16</sup>.

Another data source for police officer counts can be found in the *Police Administration Statistics Annual Survey,* Statistics Canada. All police services in Canada provide personnel and expenditure information on an annual basis. Personnel counts include the actual number of permanent, full-time (full-time equivalents) police officers and civilians who are employed by the police services on a specific date. Counts for expenditures include final operational expenditures for the year.

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<sup>13</sup> Statistics Canada. <u>Standard Occupational Classification</u>. Ottawa: Industry Canada, 1991.

<sup>14</sup> Ibid.

<sup>15</sup> Statistics Canada. <u>1996 Census Dictionary</u>. Ottawa: Industry Canada, 1997. 1996 Census of Canada, p. 5.

<sup>&</sup>lt;sup>16</sup> Ibid. pp. 97-98.

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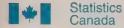


## **ADULT CRIMINAL COURT STATISTICS, 1997-98**

by Candace Brookbank and Bob Kingsley

### HIGHLIGHTS

- During 1997-98, adult criminal courts in the nine participating jurisdictions disposed of 411,576 cases, involving 864,837 charges. This represents an 8% decrease in cases since 1994-95.
- Impaired driving (15%), common assault (12%), and theft (11%) accounted for almost 40% of cases heard in adult criminal court in the nine Canadian jurisdictions.
- Eighty-five percent of cases involved males and 63% involved adults between 18 and 34 years of age.
- Adults aged 18 to 24 years appeared in court at the highest rate. They comprised 30% of the accused in adult criminal courts, but represented only 12% of the adult population.
- Sixty-one percent of the cases resulted in a finding of guilt for at least one charge in the case. The highest conviction rates were recorded for cases involving Criminal Code traffic offences (76%).
- The conviction rate has remained relatively stable over four years, ranging from 63% in 1994-95 to 62% in 1997-98.
- A prison sentence was imposed in 33% of cases with convictions (incarceration rate). This figure has remained stable since 1994-95 when it was 34%.
- Of the cases resulting in prison, 50% of the sentences were for one month or less, while 3% were for two years or more.
- The median length of prison sentences, excluding one day prison sentences, was 60 days. This figure represents an increase from a median prison length of 45 days in 1994-95. This change was driven by longer sentences for fraud cases.
- Probation was given in 43% of cases resulting in conviction. The median length of probation sentences was one year.
- The accused was ordered to pay a fine in 41% of the cases resulting in conviction. Of these cases, 54% of the accused were ordered to pay a fine of \$300 or less, and 23% a fine of more than \$500.
- Multiple-charge cases tended to result in more serious sentences than single-charge cases.
- For cases requiring more than one court appearance (80% of the caseload), the median elapsed time, from first to last appearance, was approximately three months. Generally speaking, more serious offences took longer to process.

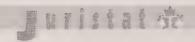


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## INTRODUCTION

Courts are the keystone of the criminal justice system. They are responsible for adjudicating criminal cases against the accused through an assessment of the evidence presented by the Crown. This *Juristat* summarizes the activity of adult provincial/territorial criminal courts¹ in Canada for the 1997-98 fiscal year. Its main objective is to improve public understanding of adult criminal court activity.

Information is presented on the demographic characteristics of accused persons, court findings, sentencing, and case processing characteristics for cases heard in adult criminal courts.

#### Box 1 About the Survey

The analysis in this report is based on case characteristics data from the Adult Criminal Court Survey (ACCS). These data on federal statute charges disposed of in 1997-98 are collected by the Canadian Centre for Justice Statistics (CCJS) in collaboration with provincial and territorial government departments responsible for adult criminal courts.

The primary unit of analysis is the case, which is defined as one or more charges laid against an individual and disposed of in court on the same day. All case information is presented by "most serious offence", as described in the methodology section. The individuals involved are persons 18 years or older, companies, as well as youths who have been transferred to adult criminal court.

At the time of this report, adult criminal courts (excluding superior courts) in seven provinces and two territories reported to the ACCS. They are: Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon, and the Northwest Territories. These jurisdictions represent approximately 80% of the national adult criminal court caseload. The information presented in this report covers only these nine participating jurisdictions.

## **OVERVIEW OF ADULT CRIMINAL COURT CASES**

During 1997-98, adult criminal courts in participating jurisdictions disposed of 411,576 cases, involving 864,837 charges.<sup>2</sup> A majority of cases (54%) contained one charge, 27% of cases contained two charges, and the remaining 19% contained three or more charges. There were on average 2.1 charges per case. All cases are for federal statute violations, of which 89% were *Criminal Code* offences. The remainder involved violations of Other Federal Statutes, such as the *Controlled Drugs and Substances Act* <sup>3</sup> (formerly the *Narcotic Control Act & Food and Drugs Act*), Employment Insurance Act, and *Income Tax Act*. Provincial/territorial statute offences are not included in this report.

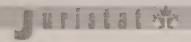
Court cases in participating jurisdictions have declined slightly over the past four years. In 1994-95 there were 446,086 cases before adult criminal courts, in 1995-96 there were 435,569 cases, and in 1996-97 there were 417,393. The 1997-98 figure of 411,576 represents a decrease of 8% in the number of cases since 1994-95. However, the average number of charges per case has increased, moving from 1.97 in 1994-95 to 2.10 in 1997-98. The percentage of *Criminal Code* offences remained the same from 1994-95 to 1996-97 (88%), but increased slightly in 1997-98 (89%).

For the remainder of this Juristat, adult provincial/territorial criminal courts will be referred to as adult criminal courts.

The number of charges in a case is based on the total charges in the case, not just those charges resulting in a conviction.

With the introduction of new drug legislation, some drug offences have been coded to the "Other Federal Statutes" category. This inflates the OFS group and undercounts drug offences. This will be corrected with changes to data collection programs.

In 1996-97, the Northwest Territories (comprising less than 1% of reported caseload), did not provide data to the survey.



#### Impaired driving, common assault and theft are the most common offences

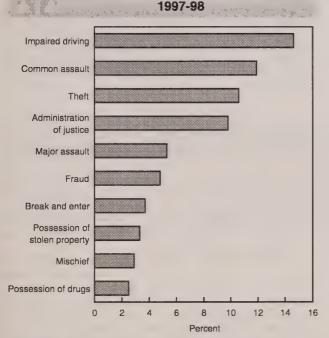
In 1997-98, participating jurisdictions reported 83,651 cases involving Crimes Against Persons (20% of total caseload), 104,782 cases of Crimes Against Property (26%), 109,236 Other Criminal Code cases (27%), 68,384 Traffic cases (17%), 17,864 Drug-Related cases (4%), and 27,659 Other Federal Statutes cases (7%).

As shown in Table 1, the most frequently occurring offence in adult criminal court was impaired driving which comprised 15% of all offences and nearly 90% of all Traffic cases. The second most frequent offence was common assault, which represented 12% of all court cases and 58% of all Crimes Against Persons (also referred to as violent offences). Theft was the third most frequent offence heard in adult criminal court, comprising 11% of total caseload and 42% of all property crime. Figure 1 highlights the ten most frequent offences as a percentage of total court caseload.

The case information presented in Table 1 includes three broad offence categories (Residual Criminal Code, Administration of Justice, and Other Federal Statutes) containing a mix of offences. Box 2 provides a breakdown of the infractions within these three categories.

Ten Most Frequent Offences,

Figure 1



Note: Cases by most serious offence. The ten most frequent offences account for 70% of the total number of cases. Nine jurisdictions only. Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics Statistics Canada

Table 1

#### **Total Court Cases, 1997-98**

| Offence Group   | # Cases   | %   |
|---|---|---|
| TOTAL OFFENCES  | 411,576   | 100   |
| CRIMINAL CODE TOTAL   | 366,053   | 88.9  |
| Crimes against the Person Homicide and Related Attempted Murder Robbery Kidnapping Sexual Assault Sexual Abuse Major Assault Abduction Common Assault | 83,651<br>398<br>406<br>4,111<br>255<br>6,303<br>1,326<br>21,803<br>130<br>48,919 | 20.3<br>0.1<br>0.1<br>1.0<br>0.1<br>1.5<br>0.3<br>5.3 |
| Crimes against Property Break and Enter Arson Fraud Possess Stolen Property Theft Property Damage/Mischief  | 104,782<br>15,270<br>649<br>19,896<br>13,630<br>43,521<br>11,816                  | 25.5<br>3.7<br>0.2<br>4.8<br>3.3<br>10.6<br>2.9       |
| Other Criminal Code Weapons Administration of Justice* Public Order Offences Morals-Sexual Morals-Gaming Residual Criminal Code*                      | 109,236<br>7,651<br>40,439<br>7,060<br>5,326<br>716<br>48,044                     | 26.5<br>1.9<br>9.8<br>1.7<br>1.3<br>0.2<br>11.7       |
| Traffic<br>Criminal Code Traffic<br>Impaired Driving  | <b>68,384</b><br>8,190<br>60,194  | <b>16.6</b><br>2.0<br>14.6                            |
| FEDERAL STATUTE TOTAL   | 45,523  | 11.1  |
| <b>Drug-Related Offences</b><br>Trafficking<br>Possession   | <b>17,864</b><br>7,463<br>10,401  | <b>4.3</b><br>1.8<br>2.5                              |
| Other Federal Statutes*   | 27,659  | 6.7   |

Discussed in greater detail in Box 2.

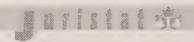
Nine jurisdictions only

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

#### Comparison of offences across jurisdictions

During 1997-98, there was considerable variation across jurisdictions in the types of offences that made up court caseload. For example, Table 2 indicates that Crimes Against Property accounted for a greater proportion of the caseload in both Newfoundland and Alberta (28%). The proportion of these cases was lowest in Yukon (19%). Among property offences, theft cases showed the greatest fluctuation, and it is this offence which had the greatest impact on the property cases total. Theft cases ranged from 6% of the caseload in the Northwest Territories to 14% of the caseload in Newfoundland.

Cases involving Crimes Against the Person also varied across jurisdictions, ranging from 17% of the total caseload in Prince Edward Island and Quebec to 41% in the Northwest



## Box 2 Breakdown for Broad Offence Categories

#### Residual Criminal Code

Two of the most frequently occurring "residual Criminal Code" offences are "breach of probation", and "uttering threats". They represent 40% of all "residual Criminal Code" offences. These two offences together with peace bonds, possession of break-in instruments, and criminal harassment, comprise 65% of all "residual Criminal Code" offences.

#### Administration of Justice

The "Administration of Justice" offence group encompasses a variety of offences dealing with violations of court orders; for example, charges are laid when an accused fails to appear in court on a set date, escapes from custody, or breaks out of a correctional facility. In fact, "failure to appear" is one of the most frequent offences heard in adult criminal court.

#### Other Federal Statutes

In addition to the *Criminal Code of Canada*, the ACCS collects information on Other Federal Statutes. These include Fisheries Acts, the *Customs Act, Immigration Act, Indian Act, Controlled Drugs and Substances Act, Employment Insurance Act, Environment Protection Act, Young Offenders Act, and Income Tax Act.* 

| Residual Criminal Code             |         |     |  |  |  |  |  |  |
|------------------------------------|---------|-----|--|--|--|--|--|--|
|                                    | # Cases | %   |  |  |  |  |  |  |
| Total                              | 48,044  | 100 |  |  |  |  |  |  |
| Breach of probation order          | 11,329  | 24  |  |  |  |  |  |  |
| Uttering threats                   | 7,889   | 16  |  |  |  |  |  |  |
| Peace bonds                        | 7,820   | 16  |  |  |  |  |  |  |
| Possession of break-in instruments | 2,543   | 5   |  |  |  |  |  |  |
| Criminal harassment                | 1,606   | 3   |  |  |  |  |  |  |
| Other residual                     | 16,857  | 35  |  |  |  |  |  |  |

| Administration of Justice       |         |     |  |  |  |  |  |  |
|---------------------------------|---------|-----|--|--|--|--|--|--|
|                                 | # Cases | %   |  |  |  |  |  |  |
| Total                           | 40,439  | 100 |  |  |  |  |  |  |
| Failure to appear               | 36,411  | 90  |  |  |  |  |  |  |
| Unlawfully at large             | 2,873   | 7   |  |  |  |  |  |  |
| Escape custody                  | 575     | 1   |  |  |  |  |  |  |
| Prison break                    | 8       | *** |  |  |  |  |  |  |
| Other administration of justice | 572     | 1   |  |  |  |  |  |  |

| Other Federal Statutes         |         |     |  |  |  |  |  |  |  |
|--------------------------------|---------|-----|--|--|--|--|--|--|--|
|                                | # Cases | %   |  |  |  |  |  |  |  |
| Total                          | 27,659  | 100 |  |  |  |  |  |  |  |
| Fisheries Acts and regulations | 4,703   | 17  |  |  |  |  |  |  |  |
| Young Offenders Act            | 1,321   | 5   |  |  |  |  |  |  |  |
| Income Tax Act                 | 941     | 3   |  |  |  |  |  |  |  |
| Other statutes                 | 1,512   | 6   |  |  |  |  |  |  |  |
| Other                          | 17,857  | 65  |  |  |  |  |  |  |  |

Territories. Within the Crimes Against the Person category, it is the percentage of common assault cases which showed the greatest variability and which most affected the total for that category of cases.

Traffic offence cases (including impaired driving) accounted for 20% or more of the overall caseload in four jurisdictions: Prince Edward Island (30%), Saskatchewan (26%), Yukon (22%), and Alberta (20%). The lowest percentage of Traffic offence cases was reported in the Northwest Territories (11%).

Table 2

### Percentage Distribution of Cases by Jurisdiction, 1997-98

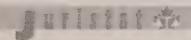
| Offence Group             | Province |       |        |        |        |         |        |        |       |      |  |
|---------------------------|----------|-------|--------|--------|--------|---------|--------|--------|-------|------|--|
| Olicine droup             | Canada   | Nfld. | P.E.I. | N.S.   | Que. 1 | Ont.    | Sask.  | Alta.  | Y.T.  | NWT  |  |
| TOTAL OFFENCES            | 411,576  | 7,474 | 1,964  | 17,726 | 80,874 | 212,929 | 26,474 | 58,659 | 1,914 | 3562 |  |
| CRIMINAL CODE TOTAL       | 89       | 85    | 89     | 87     | 82     | 90      | 94     | 92     | 92    | 92   |  |
| Crimes against the Person | 20       | 20    | 17     | 19     | 17     | 22      | 19     | 19     | 22    | 41   |  |
| Crimes against Property   | 25       | 28    | 25     | 24     | 23     | 26      | 24     | 28     | 19    | 22   |  |
| Other Criminal Code       | 27       | 22    | 17     | 28     | 24     | 28      | 26     | 24     | 29    | 18   |  |
| Traffic                   | 17       | 14    | 30     | 16     | 18     | 14      | 26     | 20     | 22    | 11   |  |
| FEDERAL STATUTE TOTAL     | 11       | 15    | 11     | 13     | 18     | 10      | 6      | 8      | 8     | 8    |  |
| Drug-Related Offences     | 4        | 5     | 3      | 3      | 6      | 4       | 2      | 6      | 6     | 3    |  |
| Other Federal Statutes    | 7        | 10    | 8      | 10     | 12     | 6       | 4      | 3      | 2     | 5    |  |

Municipal courts are not included.

Note: Percentage in columns may not add up to 100% due to rounding.

Nine jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.



# DEMOGRAPHIC CHARACTERISTICS OF ACCUSED

The Adult Criminal Court Survey collects data on the age and sex of the accused, as well as information on the number of companies that are charged with criminal offences. The following sections highlight some of the basic demographic characteristics of the accused in adult criminal court cases.

#### Cases against companies

Participating jurisdictions reported a total of 1,117 cases (0.3%), or 5,352 charges against companies during 1997-98. Almost all of the cases heard against companies were for violations under Other Federal Statutes (88%), rather than the *Criminal Code of Canada* (Box 3). Of the cases involving *Criminal Code* offences, the most common were for gaming (36%), residual Criminal Code (27%), and fraud (16%) offences.

| Cases Against Companies        | Number | %   |
|--------------------------------|--------|-----|
| Total                          | 1,117  | 100 |
| Income Tax Act                 | 200    | 18  |
| Criminal Code of Canada        | 129    | 12  |
| Fisheries acts and regulations | 52     | 5   |
| Customs Act                    | 32     | 3   |
| NCA and FDA                    | 22     | 2   |
| Employment Insurance Act       | 20     | 2   |
| All other federal statutes     | 662    | 59  |

#### Most adult criminal court cases involve males

During the reference period, 85% of all cases heard in adult criminal courts were against males. Further, the predominance of males occurred in all offence categories.

As **Table 3** shows, court cases against males occurred at a rate of 3,680 per 100,000 male population compared to a rate of 636 per 100,000 for females. The ratio of at least 6 males for every female is consistent across all offence groups, except for property crimes. Only for property offences does the ratio fall to 4 males for every female. This reflects the fact that females most often committed property crimes, of which more than half were theft related. The largest gender difference was for Traffic offences (primarily impaired driving) where males outnumbered females by a ratio of 9 to 1.

## Females committing property crimes tend to be older than males

Overall, the median age of males and females appearing in court was 31 years. Only one offence group, Crimes Against Property, showed a moderate difference in the median age of female and male accused. In property cases, the median age of females was 31 years, while the median age of males was 28 years. At 34 years for males and 35 years for females, Traffic offences showed the highest median age of any offence category (Box 4).

| Box 4<br>Median Age of Accused by Sex: 1997-98 | Males | Females |
|--|-------|---------|
| Total Offences                                 | 31    | 31      |
| Against Persons                                | 32    | 31      |
| Against Property                               | 28    | 31      |
| Other Criminal Code                            | 30    | 30      |
| Traffic  | 34    | 35      |
| Federal Statute                                | 29    | 30      |

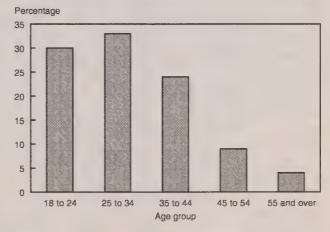
#### The majority of accused are less than 35 years old

A majority of cases involved adults under 35 years of age. Cases involving 18 to 24 year olds represented 30% of all cases where the age of the accused was known, while 33% of cases involved 25 to 34 year olds. The proportion of the adult criminal court caseload decreased with each subsequent age group. Cases against individuals 35 to 44 years of age comprised 24% of completed cases, while the accused was over 45 years in the remaining 14% (Figure 2).

As **Table 4** clearly indicates, there is wide variation between the frequency of cases involving specific age groups and their representation in the Canadian population. In general, younger accused are significantly over-represented in the courts, while older accused are significantly underrepresented. For example, 18-24 year olds comprise 12% of the adult population, but represent 30% of the accused in adult criminal courts. Similarly, 25-34 year olds comprise 21% of the adult population, but make up 33% of the accused in criminal court. In contrast, persons in the 45 plus age group comprise 44% of the adult population, but represent only 14% of accused. Only in the 35-44 age category is representation in the population (23%) roughly consistent with representation in court (24%).

Figure 2

### Percentage of Cases by Age Group, 1997-98



**Note:** Excludes 17,502 cases for which the accused was a company or the age was unknown. Nine jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

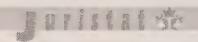


Table 3

#### Offence Distribution and Rate Per 100,000 by Sex of Accused, 1997-981

| Offence Group   | To   | N                               | 1ales                             |  | Females                           |                                   |  |                            |                                |
|---|--|---------------------------------|-----------------------------------|--|-----------------------------------|-----------------------------------|--|----------------------------|--------------------------------|
|   | Number   | %                               | Rate                              | Number                                     | %                                 | Rate                              | Number   | %                          | Rate                           |
| TOTAL OFFENCES  | 395,659  | 100                             | 2,127                             | 335,320                                    | 85                                | 3,680                             | 60,339   | 15                         | 636                            |
| CRIMINAL CODE TOTAL Crimes against the Person Crimes against Property Other Criminal Code Traffic | <b>354,483</b><br>81,797<br>101,172<br>106,138<br>65,376 | 100<br>100<br>100<br>100<br>100 | 1,905<br>440<br>544<br>570<br>351 | <b>299,611</b> 71,675 79,605 89,501 58,830 | <b>85</b><br>88<br>79<br>84<br>90 | 3,288<br>787<br>874<br>982<br>646 | <b>54,872</b><br>10,122<br>21,567<br>16,637<br>6,546 | 15<br>12<br>21<br>16<br>10 | 578<br>107<br>227<br>175<br>69 |
| FEDERAL STATUTE TOTAL<br>Drug-Related Offences<br>Other Federal Statutes                          | <b>41,176</b><br>17,003<br>24,173                        | <b>100</b><br>100<br>100        | <b>221</b><br>91<br>130           | <b>35,709</b><br>14,577<br>21,132          | <b>87</b><br>86<br>87             | <b>392</b><br>160<br>232          | <b>5,467</b><br>2,426<br>3,041                       | 13<br>14<br>13             | <b>58</b> 26 32                |

<sup>1</sup> Excludes cases where the accused was a company, or where sex was unknown (15,917).

Note: Nine jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

The population estimates are provided by Statistics Canada, Census and Demographic Statistics, Demography Division, updated post-censal estimates as of July 1, 1998.

Table 4

## Cases by Age of Accused,1 1997-98

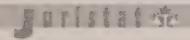
|   |   |  |  |  |  | Age  |  |   |   |   |   |
|---|---|--|--|--|--|--|--|---|---|---|---|
| Offence Group   | Total   | 18 to 24<br># %  |  | 25<br>#  | 25 to 34<br># %  |  | 35 to 44<br># %  |   | 45 to 54<br># %   |   | plus<br>%   |
| TOTAL OFFENCES  | 394,074   | 116,425  | 29.5   | 129,611  | 32.9   | 93,703   | 23.8   | 36,963  | 9.4   | 17,372  | 4.4   |
| CRIMINAL CODE TOTAL   | 351,718   | 102,238  | 29.1   | 115,876  | 32.9   | 84,503   | 24.0   | 33,343  | 9.5   | 15,758  | 4.5   |
| Crimes against the Person Homicide and Related Attempted Murder Robbery Kidnapping Sexual Assault Sexual Abuse Major Assault Abduction Common Assault | 79,958<br>370<br>385<br>3,991<br>241<br>6,023<br>1,200<br>21,163<br>120<br>46,465 | 20,145<br>112<br>128<br>1,784<br>63<br>1,197<br>156<br>6,542<br>19 | 25.2<br>30.3<br>33.2<br>44.7<br>26.1<br>19.9<br>13.0<br>30.9<br>15.8<br>21.8 | 28,061<br>130<br>116<br>1,382<br>87<br>1,928<br>356<br>7,259<br>50<br>16,753 | 35.1<br>35.1<br>30.1<br>34.6<br>36.1<br>32.0<br>29.7<br>34.3<br>41.7<br>36.1 | 20,752<br>79<br>89<br>657<br>66<br>1,564<br>323<br>4,880<br>35<br>13,059 | 26.0<br>21.4<br>23.1<br>16.5<br>27.4<br>26.0<br>26.9<br>23.1<br>29.2<br>28.1 | 7,508 35 33 140 19 750 204 1,741 12 4,574           | 9.4<br>9.5<br>8.6<br>3.5<br>7.9<br>12.5<br>17.0<br>8.2<br>10.0<br>9.8 | 3,492<br>14<br>19<br>28<br>6<br>584<br>161<br>741<br>4<br>1,935 | 4.4<br>3.8<br>4.9<br>0.7<br>2.5<br>9.7<br>13.4<br>3.5<br>3.3<br>4.2 |
| Crimes against Property Break and Enter Arson Fraud Possess Stolen Property Theft Property Damage/Mischief  | 101,550<br>14,854<br>629<br>18,905<br>13,180<br>42,418<br>11,564                  | <b>37,829</b> 8,180 212 5,187 6,134 13,481 4,635                   | 37.3<br>55.1<br>33.7<br>27.4<br>46.5<br>31.8<br>40.1                         | 31,744<br>4,244<br>186<br>7,143<br>4,013<br>12,422<br>3,736                  | 31.3<br>28.6<br>29.6<br>37.8<br>30.4<br>29.3<br>32.3                         | 20,631<br>1,956<br>135<br>4,420<br>2,154<br>9,744<br>2,222               | 20.3<br>13.2<br>21.5<br>23.4<br>16.3<br>23.0<br>19.2                         | 7,667<br>387<br>65<br>1,645<br>675<br>4,211<br>684  | 7.5<br>2.6<br>10.3<br>8.7<br>5.1<br>9.9<br>5.9                        | 3,679<br>87<br>31<br>510<br>204<br>2,560<br>287                 | 3.6<br>0.6<br>4.9<br>2.7<br>1.5<br>6.0<br>2.5                       |
| Other Criminal Code Weapons Administration of Justice Public Order Offences Morals-Sexual Morals-Gaming Residual Criminal Code                        | 102,274<br>7,283<br>39,432<br>6,946<br>5,216<br>534<br>42,863                     | 2,145<br>13,718<br>2,677<br>890<br>50<br>12,077                    | 30.9<br>29.5<br>34.8<br>38.5<br>17.1<br>9.4<br>28.2                          | 34,821<br>2,188<br>13,659<br>2,341<br>2,098<br>174<br>14,361                 | 34.0<br>30.0<br>34.6<br>33.7<br>40.2<br>32.6<br>33.5                         | 23,798<br>1,651<br>8,455<br>1,286<br>1,435<br>138<br>10,833              | 23.3<br>22.7<br>21.4<br>18.5<br>27.5<br>25.8<br>25.3                         | 8,546<br>843<br>2,626<br>485<br>517<br>112<br>3,963 | 8.4<br>11.6<br>6.7<br>7.0<br>9.9<br>21.0<br>9.2                       | 3,552<br>456<br>974<br>157<br>276<br>60<br>1,629                | 3.5<br>6.3<br>2.5<br>2.3<br>5.3<br>11.2<br>3.8                      |
| <b>Traffic</b> Criminal Code Traffic <sup>2</sup> Impaired Driving  | 67,936<br>8,109<br>59,827   | <b>12,707</b><br>1,952<br>10,755                                   | 18.7<br>24.1<br>18.0   | <b>21,250</b><br>2,910<br>18,340   | <b>31.3</b><br>35.9<br>30.7  | <b>19,322</b><br>2,062<br>17,260   | 28.4<br>25.4<br>28.8   | <b>9,622</b><br>846<br>8,776                        | <b>14.2</b><br>10.4<br>14.7   | <b>5,035</b><br>339<br>4,696                                    | <b>7.4</b><br>4.2<br>7.8  |
| FEDERAL STATUTE TOTAL   | 42,356  | 14,187   | 33.5   | 13,735   | 32.4   | 9.200  | 21.7   | 3,620   | 8.5   | 1,614   | 3.8   |
| <b>Drug-Related Offences</b> Trafficking Possession   | 17,241<br>7,076<br>10,165   | <b>6,179</b> 2,113 4,066   | <b>35.8</b><br>29.9<br>40.0  | <b>6,213</b> 2,637 3,576   | <b>36.0</b><br>37.3<br>35.2  | <b>3,752</b><br>1,736<br>2,016   | 21.8<br>24.5<br>19.8   | <b>902</b><br>465<br>437                            | <b>5.2</b> 6.6 4.3  | <b>195</b><br>125<br>70   | 1.1<br>1.8<br>0.7   |
| Other Federal Statutes  | 25,115  | 8,008  | 31.9   | 7,522  | 30.0   | 5,448  | 21.7   | 2,718   | 10.8  | 1,419   | 5.7   |
| ADULT POPULATION <sup>3</sup>   | 18,605,620  | 2,282,950  | 12.3   | 3,853,402  | 20.7   | 4,192,409  | 22.5   | 3,209,085   | 17.2  | 5,067,774   | 27.2  |

3 Adult population for nine jurisdictions only.

Excludes cases where the accused was a company or age was unknown (17,502 or 4.3 % of cases).
Includes, among others, dangerous driving, driving while disqualified, and failing to stop at the scene of an accident.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

The population estimates are provided by Statistics Canada, Census and Demographic Statistics, Demography Division, updated post-censal estimates as of July 1, 1998.



## Break and enter, possession of stolen property most frequent crimes for young adults

While young adults, 18 to 24 years of age, were over-represented in court in every offence category (except gaming offences), they tended to appear in court for different kinds of cases than older adults. The offences most frequently committed by 18-24 year olds included break and enter (55% of all cases), possession of stolen property (47%), robbery (45%), mischief/property damage (40%), and possession of drugs (40%). On the other hand, younger adults were less likely to appear in court for offences such as gaming (9% of all cases), abduction (16%), morals-sexual (17%), and impaired driving (18%).

## Impaired driving, gaming and sexual offences most frequent for older adults

Even though older adults (45 years and over) comprised a lower proportion of accused than their representation in the adult population, in all offence categories, there were several offences which they tended to commit in higher proportions than others. For example, older adults were accused in 32% of all gaming cases, 30% of all sexual abuse cases, 23% of all impaired driving cases, and 22% of all sexual assault cases.

Older adults were the least likely to be the accused for break and enter offences (3% of cases), possession of drugs (5%), and possession of stolen property (7%).

### DISPOSITIONS

The frequency with which each province and territory uses available dispositions offers insight into the complexity of jurisdictional caseloads, the mix of offences in a case, and the administrative and procedural considerations that have to be addressed prior to case completion. The various possible court dispositions have been grouped into a small number of categories to improve comparisons across provinces and territories. These categories are shown in Box 5. Due to variability in the use of the following dispositions across reporting jurisdictions - stay of proceedings, withdrawn, and dismissed - cases with these disposition types have been grouped under one category called "Stay/Withdrawn/Dismissed".

## Almost two thirds of adult criminal court cases result in conviction

A finding of guilt for at least one charge in the case was reported in a total of 250,073 cases, or 62% of the cases tried in participating adult criminal courts during 1997-98. The conviction rate has remained relatively stable over four years, ranging from 63% in 1994-95 to 64% during the subsequent two year period. The final dispositions for the remaining cases included stay/withdrawn (31% of cases heard), other (4%), and acquittal (3%) (Box 6).

Since the adult criminal court committals for trial in superior court do not result in the completion of criminal proceedings,

## Box 5 Dispositions in Adult Provincial/Territorial Criminal Court

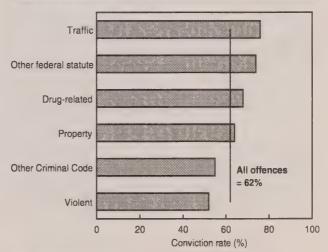
The disposition categories in this report are as follows:

- Guilty includes guilty of the charged offence, of an included offence, or an attempt of the charged offence, and attempt of an included offence.
- Committal for Trial in Superior Court represents criminal proceedings that have been transferred to a court of higher jurisdiction. When in superior court, the accused may re-elect to provincial court for the completion of the trial.
- Stay/Withdrawn/Dismissed includes stay of proceedings, and withdrawn/dismissed at preliminary inquiry. These dispositions all refer to the court stopping criminal proceedings against the accused.
- Acquitted means that the accused has been found not guilty of the charges presented before the court.
- Other Disposition includes found not criminally responsible, waived in province/territory, and waived out of province/territory. This category also includes any order that does not carry a conviction, the court's acceptance of a special plea, cases which raise Charter arguments and cases where the accused was found unfit to stand trial.

these cases (7,994 cases or 2% of all cases heard) have been removed for the calculation of conviction rates. For those cases reaching completion, the conviction rate was the highest for cases involving Traffic offences (76%) and Other Federal Statutes (72%), and lowest for cases involving Crimes Against the Person (50%). (Figure 3).

Figure 3

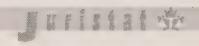
## Case Conviction Rates, 1997-98



Note: Nine jurisdictions only.

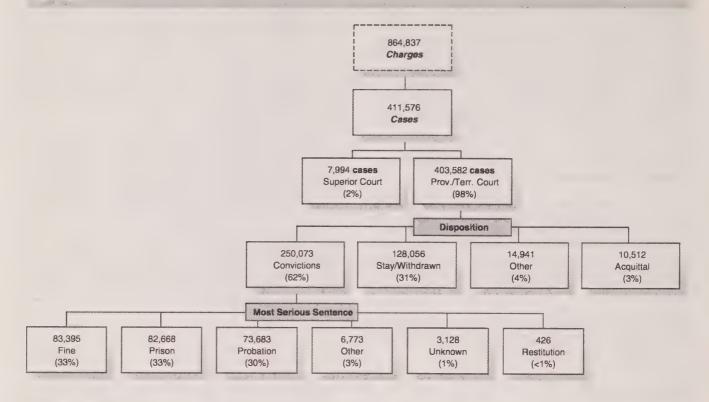
Source: Adult Criminal Court Survey, Canadian Centre for Justice

Statistics, Statistics Canada.



Box 6

#### Adult Court Processing of Federal Statute Cases, 1997-98



Note: Nine jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

#### Comparisons across jurisdictions

Differences in the distribution of dispositions across participating jurisdictions is a reflection of varying circumstances and practices. For example, the number of charges laid against an individual in relation to similar incidents may vary from one jurisdiction to another. As well, in some jurisdictions, police diversion and referral to alternative measures programs is handled before charges are laid, whereas in other jurisdictions this takes place after charges are laid. In the latter jurisdictions, charges may then be withdrawn or stayed. There are also differences in the use of stays and withdrawals for administrative purposes such as to make changes to an information. Varying pre-trial review practices, volumes of cases and case complexity, and different methods of grouping charges together to form a case also have an impact on the distribution of dispositions. Survey coverage limitations and

ACCS rules for counting charges and cases may also affect the frequency of certain disposition types.<sup>5</sup>

The proportion of cases resulting in a conviction ranged from 53% in Nova Scotia to 75% in Prince Edward Island and Quebec, and 76% in the Northwest Territories (**Table 5**). The provinces with the highest conviction rates, Prince Edward Island, Quebec, and the Northwest Territories, also had among the lowest stay/withdrawn rates, (22%, 10%, and 23% respectively). Conversely, the provinces with the lowest conviction rates, Nova Scotia (53%) and Ontario (57%), had the highest stay/withdrawn rates (37% and 41% respectively).

For reporting purposes, the ACCS counts cases transferred to another court level or location as completed. As these cases are then reinitiated in another court, they will be disposed of a second time. Cases with more than one charge are categorized by the most serious sentence and charge. Consequently, less serious sentences and charges in multiple-charge cases are under-represented.

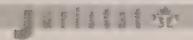


Table 5

#### Cases by Disposition Category, 1997-98

| Jurisdiction          | Total<br>Cases <sup>1</sup> | Convicted % | Stay/<br>Withdrawn<br>% | Acquitted<br>% | Other % |
|-----------------------|-----------------------------|-------------|-------------------------|----------------|---------|
| TOTAL                 | 403,582                     | 62.0        | 31.7                    | 2.6            | 3.7     |
| Newfoundland          | 7,234                       | 73.0        | 24.4                    | 0.1            | 2.5     |
| Prince Edward Island  | 1,902                       | 74.6        | 22.3                    | 2.5            | 0.6     |
| Nova Scotia           | 17,325                      | 53.3        | 37.1                    | 3.5            | 6.1     |
| Quebec <sup>2</sup>   | 80,740                      | 74.9        | 9.7                     | 9.7            | 5.7     |
| Ontario               | 208,289                     | 56.9        | 40.8                    | 0.4            | 1.9     |
| Saskatchewan          | 25,934                      | 62.8        | 30.3                    | 1.0            | 5.9     |
| Alberta               | 56,807                      | 61.9        | 30.9                    | 1.5            | 5.7     |
| Yukon                 | 1,903                       | 60.8        | 24.1                    | 0.9            | 14.2    |
| Northwest Territories | 3,448                       | 75.7        | 22.6                    | 0.7            | 1.0     |

<sup>1</sup> Excludes cases committed for trial in superior court.

Note: Nine jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

#### SENTENCING

When determining the sentences to impose on an accused, a judge weighs many factors. Some of these may include the criminal history and attitude of the accused, aggravating and mitigating circumstances, and victim-impact statements. Information on these factors is not collected by the ACCS. Data on the type of offence in the case and the number of charges in the case, which are collected by the ACCS, offer some information on the nature of the case before the court.<sup>6</sup>

To improve the understanding of sentencing practices, this section examines some of the factors considered by the court during sentencing. Of particular interest are the following questions:

- How much does the type of offence influence the sentence?
- Is the sentence given to the most serious offence in the case affected by the number of charges in the case?

#### Types of sentences

In the following sections, data on sentencing are examined according to the "types of sentences" imposed on offenders. In this view, all sentence types (prison, probation, fine, restitution, other) associated with the most serious offence in the case are counted. Because many cases result in more than one sentence, the total number of sentences imposed is greater than the total number of cases with convictions.

#### Jurisdictional patterns in sentencing

Fines were given in 103,498 cases, or 41% of all cases with convictions. Fines were the most frequently occurring sentence in two of the nine reporting jurisdictions, being imposed in 56% of cases in Alberta and 54% of cases in Nova Scotia. In Quebec, probation, fines, and "other"

sentences were each ordered in about half of all cases. Probation sentences were most common in Quebec (51%). The percentage of cases resulting in prison sentences varied considerably across the country, ranging from a low of 22% in Nova Scotia to a high of 60% in Prince Edward Island. In Prince Edward Island, the incarceration rate for impaired driving is high. Because impaired driving cases account for a large proportion of the caseload in that province, they have a significant impact on the overall incarceration rate (Table 6).

The most frequently imposed sentence in 1997-98 was "other". This sentence category includes absolute discharge, conditional discharge, suspended sentence, conditional sentence, payment of legal costs, suspension of driver's license, firearms restrictions, motor vehicle operation restrictions, community service order, treatment order, prohibition order, seizure and forfeiture, and other sentences. Many of the sentences captured as "other" by the ACCS may be conditions placed on a probation order. "Other" sentences were given in 124,431 cases, or 50% of all cases. It was the most frequently imposed sentence in four of the nine reporting jurisdictions, the highest proportion being found in Newfoundland (70%) followed by Saskatchewan (58%), Quebec (54%), and Ontario (50%) (Table 6).

## A majority of cases with convictions are given multiple sentences

Thirty-eight percent of all cases with a guilty finding<sup>7</sup> involved one sentence, 50% resulted in two sentences, and 12% involved three or more sentences. For cases resulting in more than one sentence, the most frequent sentence combinations are shown in the accompanying **Box 7**.

<sup>&</sup>lt;sup>2</sup> Municipal courts are not included.

<sup>&</sup>lt;sup>6</sup> Case sentencing information reflects the sentences imposed on the most serious offence in the case. The most serious offence in the case is determined by the most serious sentence in combination with offence severity information (see methodology section).

Excludes 3,128 cases, or 1% of cases for which the sentence was unknown.

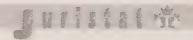


Table 6

#### Cases with Convictions by Type of Sentence, 1997-98

| Jurisdiction  | Total<br>Cases   | Prison<br>%  | Probation %  | Fine<br>%  | Restitution %                               | Other<br>%   |
|---|--|--|--|--|---|--|
| Total   | 250,073  | 33   | 43   | 41   | 5   | 50   |
| Newfoundland Prince Edward Island Nova Scotia Quebec Ontario Saskatchewan Alberta Yukon Northwest Territories | 5,284<br>1,419<br>9,237<br>60,447<br>118,440<br>16,293<br>35,186<br>1,157<br>2,610 | 30<br>60<br>22<br>28<br>39<br>25<br>28<br>44<br>39 | 49<br>45<br>34<br>51<br>46<br>31<br>23<br>48<br>41 | 38<br>45<br>54<br>47<br>33<br>49<br>56<br>30<br>30 | 7<br>14<br>6<br>3<br>6<br>6<br>6<br>9<br>13 | 70<br>24<br>45<br>54<br>50<br>58<br>40<br>27<br>34 |

Note: Many cases result in more than one sentence; row totals will therefore not add up to 100%.

The sentence was unknown in 1% of cases with convictions.

Nine jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

| Box 7 Most Frequent Combination Sentences | # Cases | %  |
|---|---------|----|
| Probation and other                       | 42.892  | 17 |
| Fine and other                            | 39,995  | 16 |
| Prison and probation                      | 20,597  | 8  |
| Prison, probation and other               | 9,493   | 4  |
| Probation, fine and other                 | 8,886   | 4  |
| Prison and other                          | 8.073   | 3  |
| Probation and fine                        | 7.753   | 3  |

#### **Prison Sentences**

Prison is the most serious sentence handed out in adult criminal court and when given, is often the only sentence. In the nine participating jurisdictions, a prison sentence was imposed in 33% of all cases (incarceration rate), and was the only sentence imposed in almost half of these cases (Table 7). The rate of incarceration — 34% in 1994-95, dropped to 33% the following year and has remained unchanged. Of the cases resulting in prison, 49% of the terms were for one month or less, while 3% were for two years or more (Figure 4). 8

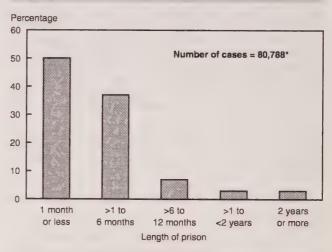
## More serious offences receive longer prison sentences

The median sentence length for all cases receiving prison was 60 days. This figure represents a sharp increase from a 45 day median length in 1994-95. Almost all of this increase occurred within the Property Offence group where the median prison sentence increased from 60 days in 1994-95 to 90 days in 1997-98. The offence category driving this change appears to be fraud cases which have also increased from 60 to 90 days since 1994-95.

The categories of violent crimes, property crimes, and drug crimes have the longest median prison sentences (90 days). Other Federal Statutes had a median prison sentence length of 60 days. The shortest median prison sentence lengths were reported for cases involving Other Criminal Code and Traffic offences (30 days) (Table 7). The types of offences

Figure 4

### Cases by Length of Prison for the Most Serious Offence, 1997-98



\* The prison term was unknown in 1,880 or 2% of the cases where a prison sentence was imposed.

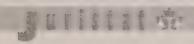
Note: Nine jurisdictions only.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

receiving a lengthy prison sentence were serious in nature, with Offences Against the Person receiving four of the longest median prison sentences. In total, there were twelve offences with a median prison sentence of 90 days or more. Seven of the twelve were offences against the person, but the list also includes breaking and entering, arson, fraud, weapons, and drug trafficking offences. Common assault (60 days) had

The ACCS is unable to determine whether the prison sentence is to be served concurrently or consecutively with another prison sentence, and is not able to measure the length of the aggregate prison sentence given to an accused in cases involving convictions on more than one offence.

The median is the middle value when all values are sorted by size. The calculation of the median sentence length for prison excludes all cases where the sentence length was 1 day or unknown (176,984). One day prison sentences are sometimes used to identify prison sentences of time served.



the lowest median sentence length among Offences Against the Person. Since common assault cases account for a large proportion of the Crimes Against the Person, they play a major role in bringing down the median sentence for the Crimes Against the Person category. The shortest median sentence length for all offence groups was for morals-sexual offences (21 days).

In general, offences with the longest median prison sentences also had the highest rates of incarceration. For example, homicide<sup>10</sup> (median sentence of 7 years), attempted murder (3 years), and robbery (1.5 years) cases all had incarceration rates of 64% and above. There were only two offences - weapons and abduction offences - where a long median length of prison (90 days and 89 days respectively) was associated with a low incarceration rate (31% and 33% respectively). The combination of low incarceration rates with relatively long sentence lengths may be the result of wide variations in severity within these offence types.

#### **Probation Orders**

Probation sentences are less serious than a prison sentence. Most probation orders carry conditions that convicted individuals have to meet in order to continue serving their sentence in the community. Some of the conditions placed on probation orders include restitution orders, community service orders, requirements to seek treatment, weapons restrictions, motor vehicle operation restrictions, peace bond orders, or prohibition orders restricting communication. Many of these sanctions are reported to the ACCS under "other" sentences. When the accused fails to follow a probation condition, new charges may be heard in adult criminal court. There were 11,329 breach of probation cases heard in participating adult criminal courts in 1997-98.

A sentence of probation was imposed in 43% of cases resulting in conviction. Of these cases, three-quarters had a probation sentence length that was between six and twenty-four months (**Figure 5**). Overall, the median length of probation was one year.

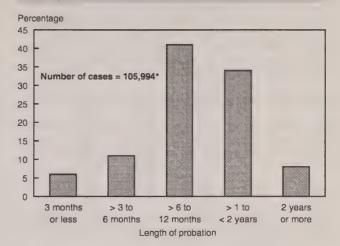
There were eleven offence types with a median probation sentence of 18 months or longer. The types of offences receiving lengthy probation orders were usually serious in nature, and were often given in combination with prison terms. Most violent crimes were given long probation terms, with homicide, attempted murder, robbery, kidnapping, sexual assault, sexual abuse, and abduction cases each receiving two years. Only two violent offences - major assault and common assault - had a median length of probation that was under two years (**Table 6**).

#### Fines

Cases receiving fines tend to be less serious than those receiving other penalties. When they are imposed, fines are frequently imposed as a single sanction. A fine was

Figure 5

## Cases by Length of Probation for the Most Serious Offence, 1997-98



\* The length of probation was unknown in 444 or 0.4% of cases where probation was ordered.

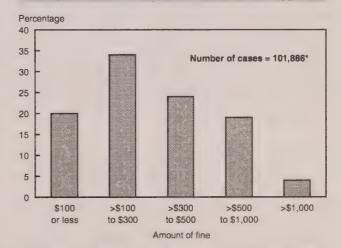
Note: Nine jurisdictions only.

**Source**: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

imposed in 41% of cases with convictions, and 42% of all the cases involving a fine had no other sanction associated with the case. In only 2% of the cases resulting in a prison sentence was the offender also ordered to pay a fine. Of the cases involving a fine, 54% were ordered to pay a fine of \$300 or less and 23% were fined more than \$500 (Figure 6). The overall median fine amount was \$300.

Figure 6

## Cases by Amount of Fine for the Most Serious Offence, 1997-98

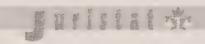


<sup>\*</sup> The amount of the fine was unknown in 1,612 or 1% of cases where a fine was imposed.

Note: Nine jurisdictions only.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

<sup>&</sup>lt;sup>10</sup> Includes manslaughter and infanticide only. First and second degree murder cases are under the exclusive jurisdiction of superior courts, which do not yet provide data to the ACCS.



#### Median amount of fine highest for Traffic offence group

The median fine amount for Traffic offence cases was \$500. This was the largest median fine amount imposed for any offence category, and reflects the mandatory \$300 fine for first time impaired driving convictions. Approximately onethird (36%) of all fines were for impaired driving cases. For other individual offence types, the highest median fine amounts were imposed for gaming cases (\$750) and drug trafficking cases (\$500) (Table 7).

#### Sentencing in single-charge and multiple-charge cases

When examining the type and magnitude of sentences resulting from adult court cases, it is useful to distinguish between cases containing only one charge versus those

having more than one charge. The data indicate that, for the same offence type, multiple-charge cases tend to receive longer prison and probation sentences than single-charge cases. Cases with multiple counts are likely to be seen as more serious than those with a single charge. Since a sentence must be proportionate to the gravity of the offence. more serious cases should receive longer sentences. In addition to multiple offending, it is also very likely that repeat offending contributes to sentencing differences for the same offence.

#### Multiple-charge cases more likely to receive prison

In cases with the same offence types, sentences in multiplecharge cases are more severe than those given in single-charge cases. The proportion of cases receiving a

Table 7

#### Cases by Type of Sentence, 1997-98

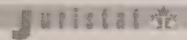
|                           |                           |                           | 4 / |                |         |                       | · · · ·        |                   |    |                     |  |
|---------------------------|---------------------------|---------------------------|-----|----------------|---------|-----------------------|----------------|-------------------|----|---------------------|--|
|                           | Total                     | Total Prison <sup>1</sup> |     |                |         | robation <sup>2</sup> |                | Fine <sup>3</sup> |    |                     |  |
| Offence Group             | Cases with<br>Convictions | Number                    | %   | Median<br>Days | Number  | %                     | Median<br>Days | Number            | %  | Median<br>\$ Amount |  |
| TOTAL OFFENCES            | 250,073                   | 82,668                    | 33  | 60             | 106,438 | 43                    | 365            | 103,498           | 41 | 300                 |  |
| CRIMINAL CODE TOTAL       | 218,583                   | 76,877                    | 35  | 60             | 99,295  | 45                    | 365            | 82,550            | 38 | 350                 |  |
| Crimes against the Person | 42,105                    | 15,847                    | 38  | 90             | 30,506  | 72                    | 365            | 7,629             | 18 | 300                 |  |
| Homicide and Related      | 82                        | 64                        | 78  | 2,555          | 20      | 24                    | 730            | 8                 | 10 | 275                 |  |
| Attempted Murder          | 66                        | 42                        | 64  | 1,148          | 24      | 36                    | 730            | -                 | -  |                     |  |
| Robbery                   | 2,311                     | 1,817                     | 79  | 540            | 1,138   | 49                    | 730            | 39                | 2  | 350                 |  |
| Kidnapping                | 78                        | 53                        | 68  | 180            | 52      | 67                    | 730            | 4                 | 5  | 425                 |  |
| Sexual Assault            | 2.025                     | 1,115                     | 55  | 300            | 1,516   | 75                    | 730            | 207               | 10 | 500                 |  |
| Sexual Abuse              | 739                       | 439                       | 59  | 240            | 616     | 83                    | 730            | 35                | 5  | 500                 |  |
| Major Assault             | 11,310                    | 5.283                     | 47  | 90             | 7.851   | 69                    | 540            | 1.951             | 17 | 300                 |  |
| Abduction                 | 39                        | 13                        | 33  | 89             | 33      | 85                    | 720            | 4                 | 10 | 450                 |  |
| Common Assault            | 25,455                    | 7.021                     | 28  | 60             | 19.256  | 76                    |                |                   |    |                     |  |
|                           | ·                         |                           |     |                | 19,230  | 70                    | 365            | 5,381             | 21 | 300                 |  |
| Crimes against Property   | 65,643                    | 24,670                    | 37  | 90             | 35,978  | 55                    | 365            | 16,688            | 25 | 200                 |  |
| Break and Enter           | 10,395                    | 6,252                     | 60  | 180            | 6,721   | 65                    | 720            | 885               | 9  | 300                 |  |
| Arson                     | 338                       | 175                       | 52  | 300            | 248     | 73                    | 730            | 19                | 6  | 325                 |  |
| Fraud                     | 12,260                    | 3,690                     | 30  | 90             | 7,860   | 64                    | 365            | 2.612             | 21 | 200                 |  |
| Possess Stolen Property   | 8,243                     | 3,538                     | 43  | 60             | 3,833   | 47                    | 365            | 2.505             | 30 | 300                 |  |
| Theft                     | 26.839                    | 9.382                     | 35  | 45             | 12,582  | 47                    | 365            | 8,390             | 31 | 200                 |  |
| Property Damage/Mischief  | 7,568                     | 1,633                     | 22  | 30             | 4,734   | 63                    | 365            | 2,277             | 30 | 200                 |  |
| Other Criminal Code       | 59,204                    | 24,898                    | 42  | 30             | 22,443  | 38                    | 365            | 18,323            | 31 | 200                 |  |
| Neapons                   | 4,232                     | 1.330                     | 31  | 90             | 2,021   | 48                    | 365            | 1.559             | 37 | 200                 |  |
| Administration of Justice | 23,009                    | 12,729                    | 55  | 30             | 5,494   | 24                    | 365            | 6.815             | 30 | 150                 |  |
| Public Order Offences     | 5,067                     | 1,101                     | 22  | 30             | 1,745   | 34                    | 360            | 2,594             | 51 | 200                 |  |
| Morals-Sexual             | 3,018                     | 801                       | 27  | 21             | 1.325   | 44                    | 365            | 1.114             | 37 | 200                 |  |
| Morals-Gaming             | 250                       | 6                         | 2   | 30             | 88      | 35                    | 360            | 163               | 65 | 750                 |  |
| Residual Criminal Code    | 23,628                    | 8,931                     | 38  | 30             | 11,770  | 50                    | 365            |                   |    |                     |  |
|                           | 20,020                    | 0,551                     |     | 30             | 11,770  | 90                    | 303            | 6,078             | 26 | 200                 |  |
| Traffic                   | 51,631                    | 11,462                    | 22  | 30             | 10,368  | 20                    | 360            | 39,910            | 77 | 500                 |  |
| Criminal Code Traffic4    | 5,660                     | 2,614                     | 46  | 45             | 1,599   | 28                    | 360            | 2,707             | 48 | 500                 |  |
| Impaired Driving          | 45,971                    | 8,848                     | 19  | 30             | 8,769   | 19                    | 360            | 37,203            | 81 | 500                 |  |
| FEDERAL STATUTE TOTAL     | 31,490                    | 5,791                     | 18  | 90             | 7,143   | 23                    | 365            | 20,948            | 67 | 150                 |  |
| Drug-Related Offences     | 11,490                    | 3,159                     | 27  | 90             | 4,210   | 37                    | 365            | 5,718             | 50 | 200                 |  |
| Trafficking               | 4,069                     | 2,243                     | 55  | 180            | 2,276   | 56                    | 730            | 1,076             | 26 | 500                 |  |
| Possession                | 7,421                     | 916                       | 12  | 30             | 1,934   | 26                    | 360            | 4,642             | 63 | 200                 |  |
| Other Federal Statutes    | 20,000                    | 2.632                     | 13  | 60             | 2,933   | 15                    | 365            | 15,230            | 76 | 150                 |  |

Prison sentences of one day or less have been excluded from the calculation of median days as well as prison sentences of unknown length (N= 9,575).

Probation sentences with unknown lengths have been excluded from the calculation of median days (N= 444).

Fine sentences where the fine amount is unknown have been excluded from the calculation of median fine amounts (N= 1,612). Includes, among others, dangerous operation, driving while disqualified, and failing to stop at the scene of an accident.

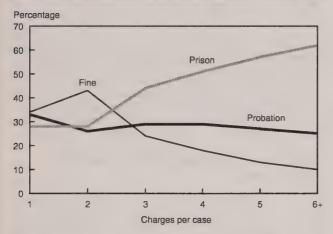
Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.



sentence of imprisonment increased as the number of charges in the case increased. A prison sentence was given in 28% of single-charge cases. In contrast, 38% of all multiple-charge cases received prison and 62% of cases with six or more charges received a prison sentence (**Figure 7**). In addition to prison sentences increasing with the number of charges, the proportion of fine sentences decreased, while the proportion of probation sentences remained fairly constant.

Figure 7

## Most Serious Sentence by Number of Charges in the Case, 1997-98



Note: Nine jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

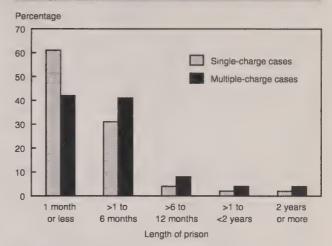
## Length of prison term increases with the number of charges in the case

The length of prison sentence also appears to be influenced by the number of charges in the case. Of the cases receiving prison, single-charge cases resulted in shorter prison terms than the most serious offence in multiple-charge cases (Figure 8). The sentence length given was less than one month for 61% of single-charge cases compared to 42% for the most serious offence in multiple-charge cases. Overall, the median prison sentence length for multiple-charge cases was twice the duration of prison sentences given in cases with only one charge (60 days versus 30 days) (Table 8).

In cases involving more serious offences (Crimes Against the Person and Crimes Against Property), the median prison sentence length given to the most serious offence was 50% longer for cases with multiple charges (90 days versus 60 days). For multiple-charge drug-related offences, the median prison sentence given was twice as long (150 days versus 75 days). There were differences also in the median length of prison sentence imposed for less serious single and multiple-charge cases. For multiple-charge Traffic and Other Federal Statutes categories, the median prison sentence length given to the most serious offence was longer (40 days versus 30 days, and 90 days versus 30 days respectively). Single and multiple-charge cases in the Other Criminal Code category were given the same median prison sentence length of 30 days (Table 8).

Figure 8

### Cases by Length of Prison Sentence Ordered, 1997-98



Note: Nine jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

## Median length of probation and amount of fine are influenced by the number of charges

In a manner similar to prison sentences, the number of charges in a case appears to influence probation and fine sentences. Cases with more than one charge were slightly more likely to receive probation as a sentence - 43% of multiple-charge cases compared to 42% of single-charge cases.

For the Crimes Against the Person, Drug-Related Offences, and Other Federal Statutes categories, the median probation length was 540 days for multiple-charge cases while, for single-charge cases, it was about 365 days. For Traffic offences, the median length of probation for multiple-charge cases was double that of single-charge cases (360 days versus 180 days). For the other Criminal Code category, the median probation length of multiple-charge cases was identical to single-charge cases (365 days) (Table 8). A fine was imposed as a sanction in slightly more single-charge cases (42%) than multiple-charge cases (41%). Overall, the median fine given in multiple-charge cases (\$400) was double the median fine amount given in single-charge cases (\$200) (Table 8).

#### Box 8 Sentencing Reforms

Some sentencing reforms have recently been introduced in Canada. In September 1996, the federal government proclaimed Bill C-41 which contains a number of provisions designed to alter the nature of the sentencing process in Canada. In addition to providing a statement of purposes and principles of sentencing, and mandating harsher penalties for some offences, the reforms include the addition of a new sentence called a conditional sentence of imprisonment. In future years, adjustments will be made to the Adult Criminal Court Survey to capture these changes and report on their impact.

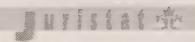


Table 8

## Median Sentence Length or Amount of Fine in Single-Charge and Multiple-Charge Cases, 1997-98

| Offence Group  | Pris<br>Type of            |                                   | Proba<br>Type of                       |  | Fine<br>Type of Case                   |  |  |
|--|----------------------------|-----------------------------------|--|--|--|--|--|
|  | Single                     | Multiple                          | Single                                 | Multiple                               | Single                                 | Multiple                               |  |
|  | in days                    | in days                           | in days                                | in days                                | \$                                     | \$                                     |  |
| Total Offences   | 30                         | 60                                | 365                                    | 365                                    | 200                                    | 400                                    |  |
| Crimes against the Person<br>Crimes against Property<br>Other Criminal Code<br>Traffic<br>Drug-Related<br>Other Federal Statutes | 60<br>60<br>30<br>30<br>75 | 90<br>90<br>30<br>40<br>150<br>90 | 365<br>365<br>365<br>180<br>365<br>360 | 540<br>450<br>365<br>360<br>540<br>540 | 300<br>200<br>200<br>500<br>200<br>100 | 300<br>200<br>200<br>500<br>300<br>500 |  |

Note: Nine jurisdictions only

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

## **CASE PROCESSING**

The time necessary to process a criminal case is dependent on many factors including the co-ordination of court resources, the number of judge sitting days, the nature and complexity of the case, lawyers' decisions on the appropriate course of action for their clients, and the instructions of the accused.

## One in five cases are completed in a single appearance

Nineteen percent of all cases were dealt with in a single appearance in 1997-98 (Box 9), a 1% drop from the previous three years. The proportion of cases requiring 6 or more appearances, however, has risen slightly from 23% to 29% in the same period.

Most cases (57%) were completed within 16 weeks of the first court appearance, with only 10% taking longer than one year (**Box 9**). This proportion marks the fourth consecutive annual increase; it was 7% in 1994-95, 8% in 1995-96, and 9% in 1996-97.

| Box 9<br>Cases by Elapsed Time | Number  | %   |
|--------------------------------|---------|-----|
| Single appearance cases        | 79,634  | 19  |
| Up to 4 weeks                  | 60,102  | 15  |
| > 4 to 16 weeks                | 95,339  | 23  |
| > 16 to 32 weeks               | 85,169  | 21  |
| > 32 to 52 weeks               | 49,986  | 12  |
| > 52 weeks                     | 41,346  | 10  |
| Total Cases                    | 411,576 | 100 |

About one quarter of single-charge cases were completed in one appearance compared to 16% for multiple-charge cases. This situation has not varied since 1994-95.

Single-charge cases with more than one appearance had a median elapsed time from the first court appearance to the last court appearance of 70 days, which was significantly lower than the median elapsed time of multiple-charge cases with more than one appearance (99 days). The median elapsed time of single-charge cases has increased from 63 to 70 days over the past four years, and the median elapsed

time of multiple-charge cases has increased from 89 to 99 days over the same period. Overall, for single and multiple-charge cases, the median elapsed time has increased from 73 days in 1994-95 to 84 days in 1997-98.

## Processing time increased with the number of appearances

Undeniably, the more appearances a case has, the longer it will take. However, what is less clear, is how many days and months each additional appearance will add to the processing of a case. Examination of the elapsed time data revealed that each additional appearance added approximately one month to the median processing time of cases (Figure 9).

Figure 9

Appearances

2

0

## Median Elapsed Time by Number of Appearances in the Case, 1997-98

246

300

6+ 5 149 4 112 3 70

0 50 100 150 200 250

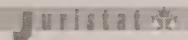
Days

Note: Nine jurisdictions only.

Source: Adult Criminal Court Survey, Canadian Centre for Justice

Statistics, Statistics Canada.

All cases = 84 days



An examination of processing times reveals that they have increased slightly between 1994-95 and 1997-98. During this period, the overall case elapsed time has increased from a median of 73 days to 84 days. The median processing time has increased for cases with multiple appearances: from 107 to 112 days for cases with four appearances, from 140 to 149 days for cases with five appearances, and from 212 to 246 days for cases with six or more appearances.

#### Serious offences take longer to process

The median elapsed time from first appearance to last appearance was longer for more serious offences. Three of the four longest median elapsed times were for violent offences such as sexual assault (189 days), sexual abuse (182 days), and homicide and related (180 days). The violent offences category (Crimes Against the Person) had the smallest proportion of single appearance cases (9%) and the largest proportion of cases with four or more appearances (63%). In contrast, Other Federal Statutes cases had by far the lowest median elapsed time (28 days) and the largest proportion of single-appearance cases (39%) (Table 9).

Table 9



#### Total Cases, Median Elapsed Time by Number of Appearances, 1997-98

|                              | Elapsed Time in Days |        |                        |        |            |        |            |                    |                          |        |                          |        |                            |        |
|------------------------------|----------------------|--------|------------------------|--------|------------|--------|------------|--------------------|--------------------------|--------|--------------------------|--------|----------------------------|--------|
| Offeren Comm                 | Total Cases          |        | Single<br>Appearance 2 |        |            |        |            | s with<br>earances | Cases with 4 Appearances |        | Cases with 5 Appearances |        | Cases with 6 + Appearances |        |
| Offence Group                | Number               | Median | % of cases             | Median | % of cases | Median | % of cases | Median             | % of cases               | Median | % of cases               | Median | % of cases                 | Median |
| TOTAL OFFENCES               | 411,576              | 84     | 19.3                   |        | 16.2       | 28     | 14.5       | 70                 | 12.0                     | 112    | 9.4                      | 149    | 28.6                       | 246    |
| CRIMINAL CODE TOTAL          | 366,053              | 86     | 18.1                   |        | 16.1       | 26     | 14.9       | 69                 | 12.4                     | 112    | 9.6                      | 148    | 29.0                       | 244    |
| Crimes against the Person    | 83,651               | 123    | 9.0                    |        | 12.6       | 29     | 15.8       | 77                 | 14.6                     | 117    | 11.6                     | 147    | 36.4                       | 235    |
| Homicide and Related         | 398                  | 180    | 10.3                   | _      | 7.5        | 18     | 7.0        | 75                 | 5.8                      | 125    | 7.0                      | 118    | 62.3                       | 271    |
| Attempted Murder             | 406                  | 126    | 6.2                    |        | 5.7        | 8      | 7.9        | 57                 | 9.4                      | 59     | 10.8                     | 85     | 60.1                       | 195    |
| Robbery                      | 4,111                | 121    | 6.2                    | _      | 6.1        | 8      | 9.2        | 28                 | 10.8                     | 56     | 9.8                      | 95     | 57.9                       | 203    |
|                              | 255                  | 102    | 11.4                   | _      | 7.5        | 14     | 12.9       | 59                 | 16.5                     | 92     | 12.2                     | 100    | 39.6                       | 226    |
| Kidnapping<br>Sexual Assault | 6.303                | 189    | 6.2                    |        | 8.2        | 55     | 10.8       | 105                | 11.8                     | 140    | 11.2                     | 183    | 51.9                       | 294    |
|                              | -,                   |        |                        |        |            |        |            |                    |                          |        |                          |        |                            | 294    |
| Sexual Abuse                 | 1,326                | 182    | 7.3                    | -      | 9.2        | 41     | 11.2       | 90                 | 9.8                      | 132    | 10.8                     | 162    | 51.7                       |        |
| Major Assault                | 21,803               | 136    | 6.8                    | -      | 9.9        | 28     | 14.4       | 75                 | 14.4                     | 118    | 12.3                     | 154    | 42.1                       | 239    |
| Abduction                    | 130                  | 106    | 14.6                   | -      | 12.3       | 34     | 11.5       | 73                 | 16.9                     | 110    | 13.8                     | 118    | 30.8                       | 223    |
| Common Assault               | 48,919               | 108    | 10.6                   | -      | 15.2       | 30     | 17.8       | 77                 | 15.6                     | 118    | 11.6                     | 146    | 29.2                       | 223    |
| Crimes against Property      | 104,782              | 79     | 17.6                   | -      | 17.6       | 27     | 14.3       | 63                 | 11.7                     | 99     | 9.0                      | 139    | 29.7                       | 239    |
| Break and Enter              | 15,270               | 89     | 11.0                   | -      | 13.1       | 14     | 13.8       | 49                 | 13.3                     | 84     | 10.8                     | 112    | 38.0                       | 217    |
| Arson                        | 649                  | 141    | 7.9                    | -      | 9.7        | 22     | 8.5        | 41                 | 10.8                     | 88     | 9.6                      | 137    | 53.6                       | 279    |
| Fraud                        | 19,896               | 119    | 15.5                   | -      | 13.9       | 28     | 12.4       | 70                 | 11.3                     | 112    | 9.8                      | 156    | 37.1                       | 273    |
| Possess Stolen Property      | 13.630               | 103    | 13.1                   | -      | 14.0       | 21     | 13.3       | 60                 | 12.3                     | 98     | 10.0                     | 136    | 37.3                       | 239    |
| Theft                        | 43.521               | 54     | 22.5                   | _      | 22.0       | 28     | 15.1       | 63                 | 10.9                     | 102    | 7.6                      | 139    | 21.9                       | 233    |
| Property Damage/Mischief     | 11,816               | 77     | 17.8                   | -      | 18.3       | 28     | 17.0       | 70                 | 12.4                     | 105    | 9.6                      | 140    | 25.0                       | 231    |
| Other Criminal Code          | 109,236              | 56     | 22.3                   |        | 17.2       | 19     | 14.6       | 55                 | 11.4                     | 94     | 8.7                      | 129    | 25.7                       | 220    |
| Weapons                      | 7,651                | 103    | 14.6                   | _      | 13.9       | 28     | 12.7       | 67                 | 12.5                     | 99     | 10.1                     | 137    | 36.2                       | 238    |
| Administration of Justice    | 40.439               | 28     | 25.4                   |        | 17.6       | 7      | 13.8       | 30                 | 10.6                     | 67     | 8.0                      | 104    | 24.6                       | 187    |
| Public Order Offences        | 7.060                | 63     | 22.6                   | _      | 21.2       | 28     | 15.3       | 70                 | 11.7                     | 114    | 8.5                      | 151    | 20.8                       | 232    |
| Morals-Sexual                | 5.326                | 78     | 17.0                   |        | 21.1       | 40     | 15.7       | 68                 | 11.6                     | 109    | 8.4                      | 145    | 26.2                       | 252    |
|                              | -,                   |        | 5.3                    | -      | 11.2       | 35     | 12.2       | 93                 | 9.4                      | 116    | 14.7                     | 295    | 47.3                       | 349    |
| Morals-Gaming                | 716                  | 160    |                        |        |            | 27     | 15.3       | 66                 | 12.0                     | 104    | 9.1                      | 141    | 25.3                       | 237    |
| Residual Criminal Code       | 48,044               | 69     | 21.8                   | -      | 16.4       | 21     | 15.3       | 00                 | 12.0                     | 104    | 9.1                      | 141    | 20.3                       | 237    |
| Traffic                      | 68,384               | 98     | 22.9                   | -      | 16.1       | 28     | 15.0       | 94                 | 12.5                     | 148    | 9.5                      | 196    | 24.0                       | 314    |
| Criminal Code Traffic1       | 8,190                | 119    | 15.0                   | -      | 15.1       | 28     | 14.7       | 90                 | 13.6                     | 126    | 10.8                     | 160    | 30.8                       | 261    |
| Impaired Driving             | 60,194               | 96     | 24.0                   | -      | 16.2       | 28     | 15.0       | 95                 | 12.3                     | 154    | 9.3                      | 203    | 23.1                       | 322    |
| FEDERAL STATUTE TOTAL        | 45,523               | 63     | 29.7                   |        | 17.0       | 35     | 11.8       | 77                 | 9.0                      | 113    | 7.3                      | 154    | 25.2                       | 269    |
| Drug-Related Offences        | 17,864               | 146    | 15.4                   | -      | 12.1       | 32     | 12.4       | 85                 | 11.0                     | 128    | 10.2                     | 175    | 38.8                       | 284    |
| Trafficking                  | 7,463                | 209    | 5.9                    | _      | 7.0        | 31     | 10.3       | 86                 | 9.8                      | 128    | 11.2                     | 179    | 55.8                       | 307    |
| Possession                   | 10,401               | 99     | 22.3                   | -      | 15.8       | 33     | 13.8       | 85                 | 11.9                     | 128    | 9.4                      | 173    | 26.7                       | 254    |
|                              |                      |        |                        |        |            |        |            |                    |                          |        |                          |        |                            |        |

20.1

11.3

7.7

39.0

Note: Nine jurisdictions only

Other Federal Statutes

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

27,659

16.5

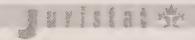
232

5.5

132

<sup>-</sup> nil or zero

<sup>1</sup> Includes, among others, dangerous operation, driving while disqualified, and failing to stop at the scene of an accident.



## **METHODOLOGY**

The objective of the Adult Criminal Court Survey (ACCS) is to develop and maintain a national adult criminal court database of statistical information on appearances, charges, and cases. The survey is intended to be a census of *Criminal Code* and other federal statute charges dealt with in adult criminal courts in Canada.

#### Coverage

Coverage limitations have an impact on the information reported by the ACCS. The absence of full national coverage (New Brunswick, Manitoba and British Columbia do not currently provide data to the survey) for provincial/territorial courts represents a current limitation of the survey. Further, not all court locations in Quebec report to the survey. Data for Quebec's 140 municipal courts, estimated to represent 20% of federal statute charges heard in Quebec, are not collected.

Since the ACCS does not currently collect information from superior courts, variations across jurisdictions for cases transferred to a higher level of court may result in slight differences in the proportions reported for each disposition group. Additionally, sentencing and related case characteristics information on the most serious cases dealt with in the criminal courts is not available.

#### **Counting Procedures**

The adult Criminal Court Survey counts a charge more than once under any of the following circumstances:

- a charge is stayed in one reference period and restarted in another reference period;
- a charge is stayed and then restarted with different case

identifiers:

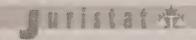
- a charge is transferred from one court location to another; and
- a charge is transferred to superior court and returns to provincial court with different case identifiers.

When a case has more than one charge, it is necessary to apply scoring rules to determine which charge will represent the case. In multiple charge cases, the "most serious disposition" rule is the first to be applied. Dispositions for each charge in the case are ordered from most to least serious as follows: 1) found guilty, 2) guilty of a lesser offence, 3) committed for trial in a superior court, 4) other dispositions, 5) stay of proceeding, 6) acquitted, withdrawn, dismissed.

In cases where two or more offences have the same disposition (e.g. guilty), the "most serious offence" rule is applied. All charges are ranked according to a seriousness scale based on the average length of prison sentence. If two charges are tied at the level of offence seriousness, sentence type information (prison, probation, fine) is considered. If a tie exists at the level of sentence type, sentence magnitude is considered.

#### Factors influencing the number of charges laid

Charging policy is a provincial/territorial responsibility. In Quebec, the approval of the Crown prosecutor is required before charges can be laid by police. The police must complete a "Report to Crown Counsel", which includes details of the case and the results of the investigation. Charges are laid based on Crown Counsel's review of this report. The prosecution's involvement in the charging process may influence Quebec's conviction rate. In the other provinces and territories presently reporting to the ACCS, the laying of charges is the responsibility of the police.



# **Canadian Centre for Justice Statistics**

For further information, please contact the Canadian Centre for Justice Statistics, 19th floor, R.H. Coats Building, Ottawa, Ontario K1A 0T6 at (613) 951-9023 or call toll-free 1 800 387-2231. To order a publication, you may telephone (613) 951-7277 or fax (613) 951-1584 or internet: order@statcan.ca. You may also call 1 800 267-6677 (Canada and United States) toll-free. If you order by telephone, written confirmation is not required.

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# **ILLICIT DRUGS AND CRIME IN CANADA**

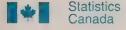
by Sylvain Tremblay

### HIGHLIGHTS

- Although the overall rate of police-reported drug offences has increased 12% since 1993, the long-term trend has generally remained stable over the past 15 years. It must be noted that trends in drug offences are directly influenced by levels of police enforcement.
- After a ten-year decline, the rate of cannabis offences has increased by 34% since 1991. Conversely, the rate of cocaine offences increased between 1981 and 1989, but has dropped by 36% since 1989. The rate of heroin offences also increased for a number of years, peaking in 1993, and then falling 25% over the last four years.
- Cannabis-supply offences (trafficking, importing and cultivation) increased for the fourth consecutive year in 1997, partially driven by an increase in cultivation offences. Cannabis-possession offences increased steadily from 1991 to 1996, but dropped slightly in 1997.
- Cannabis offences continue to account for the majority of all drug offences. More than 7 in 10 drug offences reported in 1997 involved cannabis. Two-thirds of cannabis offences were for simple possession.
- British Columbia continued to show the highest rate (426 offences per 100,000 population) of drug offences in 1997, almost twice the national average. However, when examining only the number of persons charged with drug offences, the rate for British Columbia was only 41% greater than the national average. Newfoundland reported the lowest rate (132) of drug offences for the second year in a row.
- While Newfoundland and Alberta have shown the largest decreases in drug offences in recent years, Nova Scotia (+44%), Saskatchewan (+26%) and Manitoba (+14%) have seen the largest increases in the rate of drug offences over the last 2 years.
- Younger people are less likely to be charged with serious drug offences. Of all persons charged with cocaine and heroin offences, only 36% were under 25 years of age. For cannabis offences, this proportion was 86%.
- The courts continue to treat trafficking offences more severely than possession offences. In 1996-97, data from seven provinces and one territory show that about two-thirds (64%) of persons convicted of trafficking were sentenced to imprisonment, compared to 13% for possession.
- Data from a one-day snapshot of inmates in correctional facilities in 1996 show that the most serious offence for which 9% of the adult inmate population in Canada were incarcerated was a drug offence.







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February 1999 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

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### Introduction

In 1996, licit and illicit drugs (excluding alcohol) resulted in the deaths of 1,256 people by overdose<sup>1</sup>. In addition, approximately one-half of the 3,000 to 5,000 estimated cases of HIV infection in Canada occurred among intravenous drug users (Health Canada, 1998). While it is not possible to distinguish the specific part attributable to drugs considered illegal according to the Canadian Criminal Code, these drugs represent a major health and public safety concern in many countries, including Canada.

The consequences inherent in the use of illegal drugs are serious. Apart from the loss of human life, illegal drugs generate direct costs to the health and criminal justice systems as well as indirect costs through lost work productivity, absenteeism and the loss of human potential. Economically, these costs amount to about \$1.4 billion annually (Single et al., 1996). In addition to these economic losses, drug abuse takes a social toll on drug users, children, family members and sometimes entire city neighbourhoods.

Illicit drug use is also an important element associated with crime; however, the link between the two is complex. It varies from simple possession of drugs to organized crime fighting for control of the drug trade, to serious addiction problems that may lead users to commit crimes for quick money. Hard drug users are found to be most likely to commit crimes to satisfy their drug needs.

To fight the drug problem, Canada has implemented a national strategy that aims to strike a balance between reducing the black market supply of illegal drugs and reducing demand.<sup>2</sup> The first component emphasizes the fight against drug crimes by the criminal justice system, while the second focuses on prevention and public awareness of the negative effects of drug use.

This issue of *Juristat* focuses principally on criminal drug offences reported by Canadian police services. It sketches a statistical profile of drug crimes and drug offenders, while examining the various types of offences and drugs involved. The report also examines national trends as well as provincial/territorial comparisons. Other information sources are used to describe the attitudes of Canadians toward the drug problem and the reaction of the courts to those appearing on drug charges.

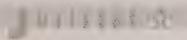
# Drugs and Crime: A complex relationship

Although illicit drugs are more widely used by people experiencing problems with the law than by the general population, it does not signify a causal relationship between the two (Brochu, 1994). Indeed, not all drug users are involved in criminal activity outside their illegal drug use. Conversely, not all offenders are drug users. Both types of behaviour are more likely to be the outcome of a deviant lifestyle. Experts in the field believe that the drug consumption profile of users is decisive in explaining the extent of their involvement in crime (Brochu, 1994; Gomme, 1993).

There are four main ways in which illegal drugs are linked to the commission of crimes. First, possessing, growing or buying illegal drugs are activities which in themselves constitute a violation of the law. Second, the use of intoxicants encourages some offenders to act out by distorting their inhibitions, perceptions and reason. For some users, drugs are a means to boost their courage, motivation or aggressiveness, or simply to get a thrill. Third, some drug addicts commit crimes for the purpose of obtaining the money they need to purchase more drugs. Fourth, a final aspect concerns the fact that the drug market is a major source of income for many offenders and for members of organized crime in general. The Canadian Government estimates a value of \$7 to \$10 billion annually for the underground, illegal drug market in Canada (Porteous, 1998). Conflicts between people involved

<sup>2</sup> Canada's Drug Strategy, Government of Canada, 1998.

Including overdoses related to substance abuse, accidental intoxication, suicide or poisoning by medication and legal or illegal drugs. Source: Health Statistics Division, Statistics Canada.



in such a lucrative illegal trade are commonly settled by various forms of violence, including assault, arson or homicide (idem, 1998).

## The New Drug Act and its Application

Before 1997, drugs came under the authority of two separate federal acts: *The Narcotics Control Act*, which governed illegal drugs such as cannabis, cocaine and heroin, and; the *Food and Drugs Act*, which governed controlled and restricted drugs such as amphetamines, LSD or anabolic steroids. A new act entitled the *Controlled Drugs and Substances Act (CDSA)* came into force in May 1997 to replace the two existing acts. The *CDSA* incorporates certain parts of the two previous acts, while modernizing and improving Canada's policy on drug control and abuse. The *CDSA* also aims to meet Canada's obligations under a number of international drug protocols.

Canadian police forces report all CDSA drug offences to the Uniform Crime Reporting (UCR) survey. However, it should be noted that since drug offences usually involve consenting persons who are unlikely to report these events to the police, recorded drug crimes are very sensitive to levels of enforcement and detection. Accordingly, an increase in the number of arrests and seizures does not necessarily reflect an increase in the population's use of illegal drugs. However, it may be an indicator that the international and national circulation of drugs is rising or that there is a push on police enforcement.

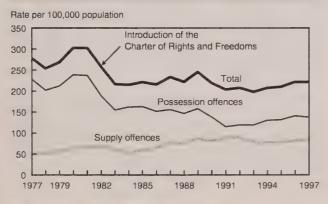
## **Analysis of Police-Reported Data**

Figure 1

#### The drug crime rate has climbed over the past 4 years

In 1997, police forces in Canada reported a total of 66,521 offences under the *Controlled Drugs and Substances Act*, representing a rate of 222 offences per 100,000 population. Although the drug crime rate has increased 12% over the last 4 years, it has generally remained stable since 1983. Between 1981 and 1983, however, drug offences plunged significantly (Figure 1). This drop may have been a direct result of the introduction of the *Charter of Rights and* 

# Gap has narrowed between rate of drug possession and drug supply offences



Source: Uniform Crime Reporting Survey, 1977-1997.

*Freedoms* in 1982 which limited police authority in search and seizure operations.<sup>3</sup> This change seems to have affected mostly possession of drug offences.

The drug offences trend also reflects a change in the police strategy in the fight against drugs after the introduction of the *Charter*. Police data seem to indicate an increase in the effort of police departments to counter crimes involving the supply of drugs (including trafficking, importing, and cultivation) to the illegal drug market since 1984.

#### **Enumerating Drug Crimes**

Since 1962, the Canadian Centre for Justice Statistics has been gathering data on drug offences through the Uniform Crime Reporting (UCR) Survey. The survey counts only the most serious offence committed in each criminal incident, which consequently underestimates the total number of drug-related incidents. For example, if an incident includes both an act of violence and a drug offence, only the act of violence is counted. Similarly, if an incident involves both a drug importation and a possession offence, the possession offence is not recorded.

Also, the UCR Survey considers trafficking and importation to be "continuing" offences. As an example, a drug trafficker who is observed selling drugs for five days to multiple persons is counted as one incident.

#### Drug supply

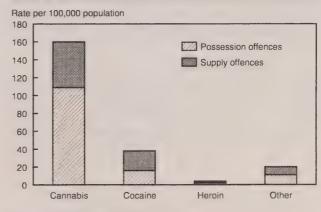
The expression "drug supply" as used in this report refers to an amalgamation of drug trafficking, drug importing, and cannabis cultivation.

#### Cannabis offences

Criminal offences involving cannabis (possession, trafficking, importation and cultivation) account for the vast majority of drug crimes. In 1997, more than 7 drug offences in 10 involved cannabis. Possession of cannabis offences represented a rate of 109 per 100,000 population, almost half of all drug offences (rate of 222) (Figure 2). In comparison, the overall rate for cocaine offences was 38, for heroin 4 and, "other drugs" 20.

Figure 2

# About half of all drug incidents were for possession of cannabis in 1997



Source: Uniform Crime Reporting Survey, 1997.

<sup>3</sup> Article 8 of the Charter specifically aims at protecting people from unreasonable searches and seizures.

The increasing number of cannabis possession offences between 1991 and 1996 has driven the overall trend in cannabis-related incidents (Figure 3). Cannabis supply offences increased for the fourth consecutive year in 1997, fuelled by a rise in cultivation offences, which climbed from a rate of 4 per 100,000 population in 1987 to 22 in 1997. Compared to 1996, the cultivation rate increased by 30% in 1997. Cultivation offences now account for 14% of all cannabis offences compared to slightly less than 3% ten years ago. More sophisticated growing techniques and new technology enable Canadian traffickers to produce high-quality cannabis in hydroponic greenhouses. As a result, Canadian-grown cannabis accounted for 50% of the total Canadian market supply in 1995 compared to 10% in 1985 (Porteous, 1998).

Figure 3

# Rate of cannabis incidents increasing since 1991

Rate per 100,000 population

300

Total
250

200

Possession offences

50

Supply offences

1977 1979 1982 1985 1988 1991 1994 1997

Source: Uniform Crime Reporting Survey, 1977-1997.

### Cocaine offences

Amongst the hard drugs, cocaine is the most popular. The rate of cocaine offences increased substantially between 1979 and 1989. This increase seems to have been the result

Figure 4

# Rate of cocaine incidents decreasing since 1991

Rate per 100,000 population 70 Total 60 50 40 Supply offences 30 20 Possession offences 10 1977 1979 1982 1985 1988 1991 1994 1997

Source: Uniform Crime Reporting Survey, 1977-1997.

of a rising popularity of cocaine among drug users as well as a change in police drug strategies to focus enforcement on hard drugs. Conversely to the rate of cannabis offences that has increased in recent years, the rate of cocaine offences has declined since 1991. Compared to 1991, the 1997 rates showed a 28% decrease for possession offences and a 38% decrease for supply offences.

In 1997, offences related to the drug market supply of cocaine amounted to 58% of all cocaine offences, a percentage that has remained relatively stable over time.

#### Heroin offences

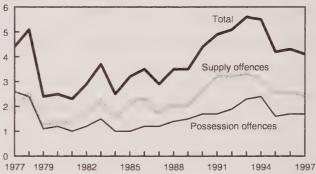
Heroin is considered one of the most devastating drugs, as an increase in tolerance to heroin facilitates the process of addiction to the drug (Gomme, 1993). Heroin offences account for less than 2% of all drug crimes. The majority (61%) of heroin offences in 1997 occurred in British Columbia.

After reaching a peak in 1993, the rate of heroin offences dropped by 24% between 1994 and 1997. Similar to the case for cocaine, supply-related offences accounted for 58% of the 1,235 offences reported by police departments in 1997.

Figure 5

# Rate of heroin incidents peaked in 1993

Rate per 100,000 population 6



Source: Uniform Crime Reporting Survey, 1977-1997.

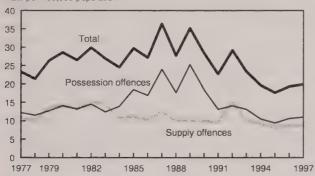
#### "Other drug" offences

Most "other drugs" can be divided into two categories: 1) illegal drugs other than cannabis, cocaine or heroin (e.g., PCP [phencyclidine], LSD or ecstasy), and 2) controlled drugs (e.g., amphetamines, barbiturates or anabolic steroids). The latter were covered under the former *Food and Drugs Act* and simple possession of them is not an indictable offence.

Between 1983 and 1991, the trend for all "other drugs" varied considerably from year to year, mainly due to variations among possession offences. Over the last two years, rates of possession and supply of "other drugs" offences have increased 15%. Possession of "other drugs" accounted for 56% of all "other drug" incidents in 1997.

### Rate of "other drug" related incidents fluctuates annually

Rate per 100,000 population



Source: Uniform Crime Reporting Survey, 1977-1997.

#### British Columbia has the highest rate of drug incidents among provinces

Among the provinces, British Columbia has consistently reported the highest rate of drug crime since 1982 (Table 1). The 1997 rate of 426 incidents per 100,000 population was almost double the national rate (Figure 7). Rates in both territories were higher than in British Columbia (Yukon: 438 and the Northwest Territories: 670). At the other extreme, Newfoundland (132) reported the lowest rate for the second consecutive year. The drug crime rates in the three other Atlantic provinces were slightly higher than those of the Prairie provinces, Quebec and Ontario.

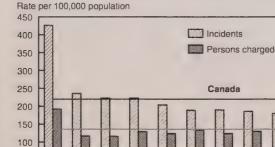
Figure 7

50

0

B.C.

## British Columbia reported the highest rate of drug incidents in 1997



N.B. P.E.I. N.S. Source: Uniform Crime Reporting Survey, 1997.

While some provinces (Prince Edward Island, New Brunswick, Quebec, Saskatchewan and Manitoba) have shown an upward trend since the early 1990's, drug crime rates in British Columbia and Ontario have remained relatively stable. Between 1996 and 1997, the percentage change in drug crimes ranged from a decrease of 29% in Yukon to an increase of 14% in Manitoba.

Sask. Man.

Que.

Ont.

Alta.

#### The rate of persons charged with drug offences is declining

In all, 40,816 people (youths and adults) were charged by the police for a drug offence in 1997, accounting for a rate of 136 per 100,000 population. The vast majority were male (89%).

Official statistics on drug crimes are closely related to levels of drug enforcement by police. Investigations which lead to the seizure of illicit drugs frequently result in the arrest of suspects. As a result, this type of crime reveals an annual number of drug incidents which usually closely parallels the annual number of persons charged. However, since 1995, a new trend has emerged. Although the drug crime rate has increased by 6% over these two years, the rate of persons charged has fallen by 7%. The rate of incidents that were cleared otherwise by the police increased by 12% between 1995 and 1997.4 The increase was apparent in most provinces, and could partially be explained by the introduction of alternative measures for adults that came into effect in 1997. This program allows police forces to use discretion in referring adult suspects to a diversionary program who could otherwise have been charged. A similar program was already in force for youth.

Among provinces and territories, police departments in British Columbia reported the lowest charge rate (47%) for drug offences.5 Only 35% of cannabis incidents and 36% of "other drug" incidents resulted in charges, compared to 79% and 81% for all the other provinces combined. No significant differences among the provinces in charges for heroin or cocaine trafficking and importation offences were noted.

In Canada, of all youths aged 12 to 17 identified by police in 1997 as having committed a drug offence, 40% were not charged by police. This was true in only 13% of cocaine incidents and 7% of heroin incidents.

#### Younger people more involved in less serious drug offences

According to the revised UCR survey, the average age of someone charged in a drug incident was 26 years. Persons charged in cocaine and heroin incidents tended to be older (average age of 30) than persons charged in cannabis and "other drug" incidents (average age of 25). For comparative purposes, the average age of persons charged with property offences was 21 years of age compared to 29 years of age for violent offences.

The ages of those charged in heroin and cocaine incidents are more evenly distributed than in cannabis incidents (Figure 8). Most people charged in cannabis incidents were young: 26% of all individuals charged were less than 18 years of age, and 60% were less than 25 years of age. Among those charged with heroin or cocaine offences, only 5% were under 18 years of age, while 33% were less than 25 years of age.

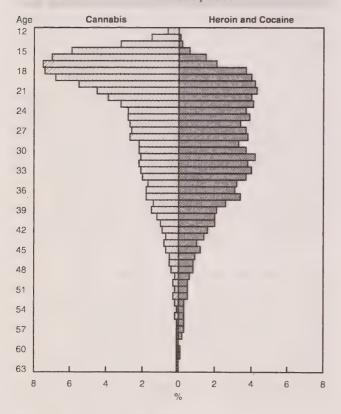
<sup>4</sup> Crimes are cleared by charge when the police have laid an information or made a recommendation that the Crown lay official charges against the accused. Crimes are cleared "otherwise" when a suspect is identified and sufficient evidence exists to charge the suspect, but charges are not laid.

The charge rate represents the percentage of "accused" persons who are actually "charged" by police.

The older the offender, the most likely they were to be charged with cocaine or heroin offences, or with drug supply offences (Table 3). Among individuals under 16 years of age, 4% were charged for cocaine or heroin incidents, compared to 32% of 20 to 24 year-olds, 42% of 25 to 34 year-olds, and 45% of 35 to 44 year-olds. This results from drug habits that change with age. Younger people tend to be more involved with drugs for their personal use or use in small groups as they seek out new experiences and pleasure. The higher price range for hard drugs like cocaine or heroin may also explain a more prevalent use of cannabis (which is cheaper) among the younger population. Table 3 shows that those who pursue their drug activities seem more likely to graduate to harder drugs and participate more extensively in the drug trade.

Figure 8

### Distribution of age by type of drug, Canada, 1997



Source: Revised Uniform Crime Reporting Survey, 1997.

# High rate of alcohol and other drug involvement in homicides

In addition to the formal federal drug statute offences described above, there are also other forms of drug-related crimes such as the violence between organized crime groups over control of the drug trade, and the crimes committed by drug addicts to obtain quick cash.

Data from the Statistics Canada *Homicide Survey* show that, of the 581 homicides in Canada in 1997, one in three victims and one in two accused had been drinking alcohol and/or using drugs at the time of the crime. Male victims were one and a half times more likely to have consumed alcohol or used drugs than female victims. The police also reported that 12% of homicide incidents with a known motive were drug-related.

#### **Decriminalizing Drugs**

Although the public, police officers and politicians seem to unanimously support the idea of increasing efforts to fight the drug problem, some are beginning to question the hard-line approach involving the criminal justice system. Some members of the academic, legal, political and health communities have expressed their support for various means of decriminalizing drugs. These means range from legalizing the use of cannabis for therapeutic purposes, to legalizing possession, to completely decriminalizing all criminal drug offences.

The supporters of decriminalization claim that it would help eliminate the income generated by trafficking, reduce the attendant crime rates, lower costs to the health and criminal justice systems, and decrease the likelihood that users become involved in crime. Those who oppose relaxing the laws argue that such legislation would increase the number of users, not eliminate the black market, and raise, rather than reduce, the number of drug-related problems.

## Illegal Drug Use By Canadians

Many Canadians admit to using illegal drugs. According to the *Canadian Alcohol and Other Drugs Survey (1994)*, almost one in four Canadians 15 years of age or over reported having used at least one illegal drug during his/her lifetime, primarily cannabis (Table 4). The findings show that the use of illicit drugs increased significantly across the country between 1993 and 1994. Cannabis use climbed from 4.2% to 7.4%, cocaine from 0.3% to 0.7%, and LSD, speed or heroin from 0.3% to 1.1% (McKenzie, D., Williams, B. & Single, E., 1997).

Table 4 shows that illegal drug use (cannabis, cocaine, LSD, speed or heroin) was twice as prevalent among men as women, and that users were primarily young people. About one-quarter (26%) of youths 15 to 17 years of age and a similar proportion of 18 to 19 year-olds (24%) reported having used at least one illegal drug in the previous year, compared to 20% among those aged 20 to 24 years. Adlaf, Ivis, Smart and Walsh (1997) reached very similar findings in the 1997 cycle of the *Ontario Student Drug Use Survey*. They found that the percentage of Ontario students who used cannabis (at least once during the previous year) was the same as in 1995, but that the number of hallucinogenic drug users had increased over the two-year period.

McKenzie et al. (1997) also found that illegal drug use varies from one province to another. British Columbia respondents reported using illegal drugs the most (12%) during the previous year, followed by Alberta, Manitoba and Quebec respondents (9%). At the other end of the spectrum, less than 4% of respondents from Newfoundland reported using illicit drugs.

# The court reaction to persons accused of drug-related offences

In 1996-97, the *Adult Criminal Court Survey* collected information from provincial/territorial courts in seven provinces and Yukon.<sup>6</sup> In that year, these courts heard 18,515 drugrelated offence cases, of which 29% were for drug trafficking. Unfortunately, the survey does not allow for a distinction between the types of drugs.

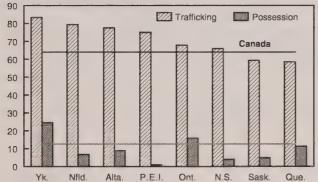
# Almost two-thirds of persons charged with drug trafficking are sentenced to imprisonment

The Criminal Code provides a maximum of life imprisonment in the case of trafficking and importation of drugs. For all jurisdictions combined, about two-thirds (64%) of all persons convicted of drug trafficking were sentenced to imprisonment (Figure 9). The median sentence length in these cases was four months. Figure 9 shows provincial/territorial differences in imprisonment proportions for drug crime cases. Yukon, Newfoundland and Alberta imposed the highest proportions of prison sentences for drug trafficking, ranging from 78% to 83%. However, less than six in ten persons convicted of drug trafficking in Quebec and Saskatchewan were sentenced to prison. The longest sentences of imprisonment were imposed in Prince Edward Island and Alberta (medians of 12 months and 8 months respectively). In addition, probation was the most serious sentence imposed in 24% of drug trafficking cases, and fines in 9%.

#### Figure 9

# About two-thirds of convicted drug traffickers were sentenced to prison in Canada in 1996-97

% of cases resulting in a prison sentence



Source: Adult Criminal Court Survey, 1997-98

# Fine is the most common sentence for drug possession

In cases of drug possession, a fine was the most common sentence imposed (in 63% of cases), with a median amount of \$200: The highest fines were imposed in Prince Edward Island (\$400 median), while the lowest were given in Quebec and Yukon (\$150 median). Nationally, a fine was imposed as the most serious sentence in 55% of cases, followed by probation in 22% of cases and imprisonment in 13%. In most provinces/territory, the median length of the sentence of imprisonment ranged from one to two months.

## **Drug Offenders in the Corrections System**

The findings of A One-Day Snapshot of Inmates in Canada's Adult Correctional Facilities Survey conducted on October 5, 1996 showed that the most serious sentence for which 9% of the on-register Canadian adult inmate population (including remands) were in prison was a drug-related offence.

Alberta (17%) and Quebec (14%) held the highest percentage of drug offenders in provincial prisons (Table 5). In British Columbia, the province that had the highest number of persons charged with drug offences, only 8% of inmates were incarcerated for drug offences as the most serious offence. New Brunswick also reported a similar proportion. In federal penitentiaries, those incarcerated for drug offences also accounted for 8% of all inmates.

Drugs are also a major problem inside provincial and federal correctional institutions. The *One-Day Snapshot of Inmates Survey* found that prison administrators considered drug abuse as a security concern for 23% of the inmate population covered. In addition, a national inmate survey conducted by Robinson & Mirabelli (1996) found that 38% of inmates incarcerated in federal institutions said they had used illegal drugs at least once since their admission. The most frequently used drugs were cannabis (59%), heroin (19%), cocaine or crack (17%).

# Methodology

1. Uniform Crime Reporting Survey (UCR)
a) Aggregate Component – 100% Coverage

The aggregate UCR survey tracks the number of criminal incidents reported to the police. It includes the number of reported incidents and the number of actual incidents, the number of incidents cleared by police and the number of persons charged by gender and by status as youths or adults. It does not include data on victim characteristics. Unless otherwise indicated, all of the analyses included in this report are based on aggregate survey counts.

# b) Revised UCR Survey - (UCRII Research File - incident-based)

The revised micro-data survey gathers detailed information on the individual criminal offences reported to the police, including the characteristics of victims, of accused persons, and of incidents. In 1997, detailed data were gathered from 179 police departments in six provinces. These data account for 48% of the national volume of

The survey covers the period from April 1, 1996 to March 31, 1997. The courts of New Brunswick, Manitoba, British Columbia and the Northwest Territories were not included in the survey. Data for 1997-98 were available, but with the introduction of the new drug legislation, some drug offences were coded to the "Other Federal Statutes" category. This inflates the OFS group and undercounts drug offences.

actual crimes set out in the *Criminal Code*. Incidents entered in the Research File in 1997 were distributed as follows: 42% in Quebec, 32% in Ontario, 11% in Alberta, 8% in British Columbia, 5% in Saskatchewan and 1% in New Brunswick. Except in Quebec, most of the data were supplied by urban police departments. Readers are advised that these data are not representative at the national level.

2. Homicide Survey

The Homicide Survey has collected police-reported data on homicide incidents since 1961, including characteristics of victims and accused. Survey questionnaires are completed for each homicide known to the police by the investigating police department.

3. Adult Criminal Court Survey (ACCS)

Provincial criminal courts in seven provinces and two territories (representing approximately 80% of the national total) supplied the survey data. These data were distributed as follows: Ontario (51%); Quebec (21%); Alberta (14%); Saskatchewan (7%); Newfoundland (2%); the Northwest Territories (0.7%); Yukon (0.5%); and, Prince Edward Island (0.4%).

# 4. A One-Day Snapshot of Inmates in Canada's Adult Correctional Facilities

For the first time, the study took a census of inmates "registered" in Canadian adult correctional facilities as of midnight, October 5, 1996. The purpose of the census was to provide a detailed profile of the inmates in Canadian adult prisons. The data were gleaned from the administrative files kept by the various federal, provincial and territorial correctional services.

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Table 1

## Number and Rate of Drug Offences by Province/Territory, Canada, 1988 to 1997

|                                |                                    | 1988       | 1989       | 1990       | 1991        | 1992       | 1993       | 1994       | 1995       | 1996       | 1997       | % change<br>1988-1997 <sup>2</sup> |
|--------------------------------|------------------------------------|------------|------------|------------|-------------|------------|------------|------------|------------|------------|------------|------------------------------------|
| Newfoundland                   | number                             | 761        | 798        | 822        | 666         | 818        | 785        | 852        | 1,027      | 904        | 730        |                                    |
|                                | rate1                              | 132        | 138        | 142        | 115         | 141        | 135        | 148        | 181        | 161        | 132        |                                    |
| B. C. C. F. L. and J. L. C. A. | % change in rate                   | 400        | 5%         | 3%         | -19%        | 23%        | -4%        | 10%        | 22%        | -11%       | -18%       |                                    |
| Prince Edward Island           | number                             | 189        | 187        | 209        | 136         | 209        | 204        | 246        | 262        | 330        | 305        |                                    |
|                                | rate <sup>1</sup> % change in rate | 146        | 144<br>-2% | 160<br>11% | 104<br>-35% | 160<br>53% | 154<br>-3% | 184<br>19% | 194<br>6%  | 242<br>25% | 223<br>-8% | 53%                                |
|                                | 70 Change III rate                 |            | ~2 /0      | 1170       | -33 /6      | J3 /0      | -J /0      | 13/0       | U /0       | 25/0       | *O /0      | 33 /0                              |
| Nova Scotia                    | number                             | 1,924      | 2,087      | 2,252      | 1,877       | 1,969      | 1,923      | 2,055      | 1,833      | 1,910      | 2,086      |                                    |
|                                | rate <sup>1</sup>                  | 214        | 231        | 248        | 205         | 214        | 208        | 222        | 198        | 205        | 223        |                                    |
|                                | % change in rate                   |            | 8%         | 7%         | -17%        | 4%         | -3%        | 7%         | -11%       | 4%         | 9%         | 4%                                 |
| New Brunswick                  | number                             | 1,295      | 1,783      | 1.364      | 1,199       | 1.096      | 1,204      | 1,237      | 1.546      | 1.672      | 1,776      |                                    |
| THE STATION OF                 | rate1                              | 177        | 243        | 184        | 161         | 146        | 161        | 165        | 206        | 222        | 236        |                                    |
|                                | % change in rate                   |            | 37%        | -24%       | -13%        | -9%        | 10%        | 3%         | 25%        | 8%         | 6%         | 33%                                |
| Quebec                         | number                             | 8,670      | 9,303      | 8.645      | 9,088       | 10,639     | 11,185     | 11,847     | 12,391     | 14,218     | 13,902     |                                    |
| Quenec                         | rate <sup>1</sup>                  | 127        | 134        | 123        | 129         | 150        | 156        | 164        | 171        | 195        | 190        |                                    |
|                                | % change in rate                   |            | 6%         | -8%        | 4%          | 16%        | 4%         | 5%         | 4%         | 14%        | -3%        | 50%                                |
|                                | 70 onlinge in rate                 |            | 070        | 070        | 770         | 1070       | 470        | 370        | 770        | 1470       | 370        | 3070                               |
| Ontario                        | number                             | 22,041     | 26,660     | 23,532     | 21,034      | 18,619     | 17,607     | 18,330     | 18,915     | 20,688     | 20,927     |                                    |
|                                | rate1                              | 224        | 264        | 228        | 202         | 176        | 165        | 169        | 173        | 186        | 186        |                                    |
|                                | % change in rate                   |            | 18%        | -13%       | -12%        | -13%       | -6%        | 3%         | 2%         | 8%         | ***        | -17%                               |
| Manitoba                       | number                             | 2,713      | 3,540      | 2,165      | 1,724       | 2,262      | 1,683      | 1,682      | 1,792      | 1,880      | 2,149      |                                    |
|                                | rate1                              | 246        | 321        | 196        | 155         | 203        | 150        | 150        | 159        | 166        | 189        |                                    |
|                                | % change in rate                   |            | 30%        | -39%       | -21%        | 31%        | -26%       | -1%        | 6%         | 4%         | 14%        | -23%                               |
| Saskatchewan                   | number                             | 1,967      | 1,949      | 2,051      | 1,155       | 1,791      | 1,745      | 1.651      | 1,770      | 2.054      | 2,087      |                                    |
|                                | rate1                              | 191        | 191        | 204        | 115         | 178        | 173        | 164        | 175        | 201        | 204        |                                    |
|                                | % change in rate                   |            |            | 7%         | -43%        | 55%        | -3%        | -6%        | 7%         | 15%        | 1%         | 7%                                 |
| Alberta                        | number                             | 6,672      | 6,587      | 6.195      | 5,018       | 5.685      | 6,234      | 5,286      | 4,837      | 5,226      | 5,093      |                                    |
| niberia                        | rate <sup>1</sup>                  | 272        | 264        | 243        | 194         | 216        | 233        | 195        | 177        | 188        | 180        |                                    |
|                                | % change in rate                   |            | -3%        | -8%        | -20%        | 11%        | 8%         | -16%       | -10%       | 6%         | -4%        | -34%                               |
| British Columbia               | number                             | 12,737     | 13,539     | 12,833     | 14,616      | 15,279     | 13,728     | 16,409     | 16,651     | 16,174     | 16,868     |                                    |
| Diffisii Columbia              | rate <sup>1</sup>                  | 409        | 423        | 390        | 433         | 440        | 384        | 446        | 440        | 417        | 426        |                                    |
|                                | % change in rate                   |            | 4%         | -8%        | 11%         | 2%         | -13%       | 16%        | -1%        | -5%        | 2%         | 4%                                 |
| ., .                           |                                    | 407        | 040        | 404        | 040         | 470        | 4.47       | 400        | 400        | 400        | 4.44       |                                    |
| Yukon                          | number                             | 167<br>627 | 219<br>808 | 191<br>688 | 212<br>733  | 172<br>569 | 147<br>480 | 182<br>606 | 188<br>609 | 196<br>614 | 141<br>438 |                                    |
|                                | rate <sup>1</sup> % change in rate |            | 29%        | -15%       | 733<br>7%   | -22%       | -16%       | 26%        | 509        | 1%         | -29%       | -30%                               |
|                                | 76 Change in rate                  |            | 23/0       | 10/0       | 1 /0        | -22/0      | -10/0      | 20 /0      |            | 1 /0       | -25/0      | -30 /0                             |
| Northwest Territories          | number                             | 246        | 278        | 365        | 343         | 342        | 372        | 376        | 401        | 477        | 457        |                                    |
|                                | rate1                              | 442        | 488        | 620        | 563         | 548        | 585        | 577        | 602        | 706        | 670        |                                    |
|                                | % change in rate                   |            | 10%        | 27%        | -9%         | -3%        | 7%         | -1%        | 4%         | 17%        | -5%        | 52%                                |
| Canada                         | number                             | 59,382     | 66,930     | 60,624     | 57,068      | 58,881     | 56,817     | 60,153     | 61,613     | 65,729     | 66,521     |                                    |
|                                | rate <sup>1</sup>                  | 222        | 245        | 219        | 204         | 207        | 198        | 207        | 210        | 222        | 222        |                                    |
|                                | % change in rate                   |            | 11%        | -11%       | -7%         | 2%         | -5%        | 5%         | 1%         | 6%         |            | **                                 |

Rates are calculated on the basis of 100,000 persons. Population estimates come from the Demography Division, Census and Demographic Statistics Branch, Statistics Canada. Population to July 1: revised intercensal estimates for 1988 to 1995; updated post-census estimates for 1996 and 1997.

\* % changes are based on non-rounded rates.

... figures not appropriate.

— numbers too small to be expressed.

\*Source: Uniform Crime Reporting Survey, CCJS.

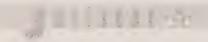


Table 2

## Drug Incidents by Type of Offence, by Province/Territory, 1997

|                       |                 | Cannabis         |                  |                  | Co     | caine           |                  |                  | Heroin Other Controlled Drugs & Substan |                 |                  | stance Act       |       |                 |                  |                  |       |           |
|-----------------------|-----------------|------------------|------------------|------------------|--------|-----------------|------------------|------------------|---|-----------------|------------------|------------------|-------|-----------------|------------------|------------------|-------|-----------|
|                       | Pos-<br>session | Traf-<br>ficking | Impor-<br>tation | Culti-<br>vation | Total  | Pos-<br>session | Traf-<br>ficking | Impor-<br>tation | Total                                   | Pos-<br>session | Traf-<br>ficking | Impor-<br>tation | Total | Pos-<br>session | Traf-<br>ficking | Impor-<br>tation | Total | Incidents |
| Newfoundland          | 447             | 136              | 5                | 13               | 601    | 6               | 4                | 2                | 12                                      | _               | _                |                  |       | 52              | 59               | 6                | 117   | 730       |
| Prince Edward Island  | 153             | 72               | -                | 25               | 250    | 6               | 9                | 1                | 16                                      | -               | -                | -                | -     | 11              | 21               | 7                | 39    | 305       |
| Nova Scotia           | 908             | 468              | 8                | 271              | 1,655  | 77              | 174              | 8                | 259                                     | 1               | -                | 1                | 2     | 76              | 76               | 18               | 170   | 2,086     |
| New Brunswick         | 727             | 315              | 5                | 266              | 1,313  | 74              | 99               | 2                | 175                                     | 1               | 1                | -                | 2     | 194             | 80               | 12               | 286   | 1,776     |
| Quebec                | 4,840           | 2,100            | 75               | 1,915            | 8,930  | 1,134           | 1,709            | 58               | 2,901                                   | 25              | 64               | 10               | 99    | 1,186           | 747              | 39               | 1,972 | 13,902    |
| Ontario               | 11,647          | 1,954            | 523              | 1,536            | 15,660 | 1,643           | 1,605            | 154              | 3,402                                   | 128             | 152              | 27               | 307   | 956             | 465              | 137              | 1,558 | 20,927    |
| Manitoba              | 1,147           | 341              | 8                | 198              | 1,694  | 125             | 137              | 2                | 264                                     | 3               | 1                | 1                | 5     | 104             | 74               | 8                | 186   | 2,149     |
| Saskatchewan          | 1,164           | 336              | -                | 84               | 1,584  | 17              | 85               | 1                | 103                                     | 3               | 5                | -                | 8     | 140             | 245              | 7                | 392   | 2,087     |
| Alberta               | 2,566           | 786              | 14               | 230              | 3,596  | 235             | 705              | 6                | 946                                     | 11              | 41               | 5                | 57    | 232             | 242              | 20               | 494   | 5,093     |
| British Columbia      | 8,760           | 1,223            | 56               | 2,088            | 12,127 | 1,446           | 1,748            | 64               | 3,258                                   | 340             | 388              | 24               | 752   | 356             | 312              | 63               | 731   | 16,868    |
| Yukon                 | 86              | 24               | 1                | 3                | 114    | 5               | 17               | -                | 22                                      | 2               | -                | -                | 2     | 1               | 2                | -                | 3     | 141       |
| Northwest Territories | 237             | 143              | 1                | 3                | 384    | 17              | 44               | -                | 61                                      | -               | 1                |                  | 1     | 4               | 7                | -                | 11    | 457       |
| Canada                | 32,682          | 7,898            | 696              | 6,632            | 47,908 | 4,785           | 6,336            | 298              | 11,419                                  | 514             | 653              | 68               | 1,235 | 3,312           | 2,330            | 317              | 5,959 | 66,521    |

- nil or zero.
Source: Uniform Crime Reporting Survey, CCJS.

Table 3

# Type of Drug and Offence by Age of Accused, Canada<sup>1</sup>, 1997

|   | ≤15  | 16-17                                      | 18-19                             | 20 to 24                             | 25 to 34                                   | 35 to 44                                   | 45 to 54                            | 55+   | Total                                |
|---|--|--|-----------------------------------|--------------------------------------|--|--|-------------------------------------|---|--------------------------------------|
| Type of Drug  |  |  |                                   |                                      | %  |  |                                     |   |                                      |
| Cannabis<br>Heroin<br>Cocaine<br>Other Drugs<br>Total           | 81.2<br>0.5<br>3.7<br>14.6<br><b>100.0</b> | 74.9<br>1.8<br>8.3<br>15.0<br><b>100.0</b> | 69.2<br>2.4<br>17.7<br>10.7       | 57.6<br>3.3<br>28.3<br>10.7<br>100.0 | 49.2<br>3.6<br>38.4<br>8.8<br>100.0        | 47.5<br>4.8<br>39.8<br>7.8<br><b>100.0</b> | 45.2<br>4.7<br>43.1<br>7.0<br>100.0 | 44.9<br>3.3<br>39.3<br>12.6<br><b>100.0</b> | 58.3<br>3.2<br>28.2<br>10.4<br>100.0 |
| Type of Offence   |  |  |                                   |                                      |  |  |                                     |   |                                      |
| Possession<br>Trafficking<br>Importation<br>Production<br>Total | 70.6<br>28.6<br>-<br>0.8<br><b>100.0</b>   | 67.4<br>31.6<br>-<br>1.0<br><b>100.0</b>   | 63.6<br>33.4<br>-<br>3.0<br>100.0 | 59.2<br>38.1<br>0.1<br>2.7<br>100.0  | 50.4<br>46.3<br>0.1<br>3.3<br><b>100.0</b> | 46.3<br>48.2<br>0.2<br>5.4<br>100.0        | 32.7<br>58.1<br>0.3<br>8.8<br>100.0 | 25.7<br>61.7<br>0.9<br>11.7<br>100.0        | 55.6<br>41.0<br>0.1<br>3.3<br>100.0  |

<sup>1.</sup> Revised UCR survey comprised of a non-representative sample of 179 police forces accounting for 48% of the volume of all crimes and 32% of the volume of drug crime.

- nil or zero.

Source: Revised Uniform Crime Reporting Survey

Table 4

Percent of Respondents Using Illicit Drugs in the Previous Year Among those 15 or Older, Canada, 1994

|                      | Cannabis | Cocaine | LSD,<br>Speed,<br>Heroin | Use of<br>any of 5<br>illegal Drugs |
|----------------------|----------|---------|--------------------------|-------------------------------------|
|                      |          | %       |                          |                                     |
| Total 15+            | 7.4      | 0.7     | 1.1                      | 7.7                                 |
| Sex                  |          |         |                          |                                     |
| Male                 | 10.0     | 0.8     | 1.5                      | 10.1                                |
| Female               | 4.9      | 0.5     | 0.7                      | 5.1                                 |
| Age Group            |          |         |                          |                                     |
| 15-17                | 25.4     | 1.3     | 8.3                      | 25.7                                |
| 18-19                | 23.0     | 1.9     | 5.6                      | 24.1                                |
| 20-24                | 19.3     | 1.4     | 2.8                      | 19.8                                |
| 25-34                | 9.6      | 1.0     | 0.6                      | 9.9                                 |
| 35-44                | 5.8      | 0.8     | 0.2                      | 5.9                                 |
| 45-54                | 1.4      | 0.1     |                          | 1.5                                 |
| 55-64                | 0.7      | 0.1     |                          | 0.8                                 |
| 65-74                | 0.2      | *-      |                          | 0.2                                 |
| 75+                  | ••       | **      | **                       |                                     |
| Province             |          |         |                          |                                     |
| Newfoundland         | 3.8      | 0.1     | 0.3                      | 3.8                                 |
| Prince Edward Island | 5.6      | 0.5     |                          | 6.1                                 |
| Nova Scotia          | 8.0      | 0.0     | 0.7                      | 8.1                                 |
| New Brunswick        | 6.2      |         | 1.8                      | 6.2                                 |
| Quebec               | 8.6      | 1.2     | 1.6                      | 9.0                                 |
| Ontario              | 5.1      | 0.1     | 0.5                      | 5.1                                 |
| Manitoba             | 9.1      | 0.3     | 0.9                      | 9.1                                 |
| Saskatchewan         | 6.6      | 0.6     | 1.0                      | 6.9                                 |
| Alberta              | 8.4      | 1.3     | 1.3                      | 8.8                                 |
| British Columbia     | 11.6     | 1.2     | 1.6                      | 11.8                                |

-- numbers too small to be expressed.

Source: Canadian Profile: Alcohol, tobacco and other drugs, 1997.

Table 5 Proportion of On-Register Inmates Incarcerated for Drug Offences<sup>1</sup>, by Jurisdiction, October 5, 1996

|                                      | Total<br>Inmates |        | Inmates Incarcerated for<br>Drug-Related Offences |  |  |
|--------------------------------------|------------------|--------|---|--|--|
|                                      |                  | Number | Percentage  |  |  |
|                                      |                  | #      | %   |  |  |
| Newfoundland                         | 321              | 19     | 6   |  |  |
| Prince Edward Island                 | 63               | 3      | 5   |  |  |
| Nova Scotia                          | 458              | 46     | 10  |  |  |
| New Brunswick                        | 457              | 37     | 8   |  |  |
| Quebec                               | 5,147            | 721    | 14  |  |  |
| Ontario                              | 7,760            | 388    | 5   |  |  |
| Manitoba                             | 1,018            | 51     | 5   |  |  |
| Saskatchewan                         | 1,129            | 56     | 5   |  |  |
| Alberta                              | 2,804            | 477    | 17  |  |  |
| British Columbia                     | 2,495            | 200    | 8   |  |  |
| Northwest Territories                | 293              | 6      | 2   |  |  |
| Yukon                                | 73               | 4      | 5   |  |  |
| Total Provincial Inmates             | 22,018           | 2,007  | 9   |  |  |
| Correctional Service Canada          | 13,829           | 1,106  | 8   |  |  |
| Total Canada Adult Inmate Population | 35,847           | 3,113  | 9   |  |  |

<sup>&</sup>lt;sup>†</sup> Drug offences were the most serious sentence. Includes both sentenced and remand inmates. **Source:** A One-Day Snapshot of Inmates in Canada's Adult Correctional Facilities Survey, CCJS, 1996.

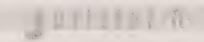


Table 6

### Number and Rate of Drug Offences by Type of Drug, Canada, 1977-1997

|             |                               | 1977          | 1978                  | 1979                | 1980          | 1981          | 1982          | 1983          | 1984          | 1985          | 1986          | 1987          |
|-------------|-------------------------------|---------------|-----------------------|---------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Cannabis    | number                        | 58,481<br>246 | 53,378<br>223<br>-10% | 56,834<br>235<br>5% | 64,866<br>265 | 65,763<br>265 | 53,658<br>214 | 43,799<br>173 | 43,917<br>172 | 43,803<br>169 | 41,514<br>159 | 43,072<br>163 |
|             | % change in rate <sup>2</sup> | ***           | -10%                  | 270                 | 13%           |               | -19%          | -19%          | -1%           | -1%           | -6%           | 2%            |
| Heroin      | number                        | 1,037         | 1,221                 | 575                 | 623           | 583           | 734           | 942           | 634           | 827           | 914           | 765           |
|             | rate1                         | 4.4           | 5.1                   | 2.4                 | 2.5           | 2.3           | 2.9           | 3.7           | 2.5           | 3.2           | 3.5           | 2.9           |
|             | % change in rate <sup>2</sup> |               | 17%                   | -53%                | 7%            | -8%           | 24%           | 27%           | -33%          | 29%           | 9%            | -17%          |
| Cocaine     | number                        | 897           | 1,030                 | 1,142               | 1,704         | 2,189         | 2,738         | 3,275         | 4,119         | 4,900         | 6,729         | 8,202         |
|             | rate1                         | 3.8           | 4.3                   | 4.7                 | 7.0           | 8.8           | 11            | 13            | 16            | 19            | 26            | 31            |
|             | % change in rate <sup>2</sup> |               | 14%                   | 10%                 | 47%           | 27%           | 24%           | 18%           | 25%           | 18%           | 36%           | 20%           |
| Other Drugs | number                        | 5,523         | 5,118                 | 6,372               | 7,003         | 6,569         | 7,506         | 6,831         | 6,280         | 7,675         | 7,094         | 9,619         |
|             | rate1                         | 23            | 21                    | 26                  | 29            | 26            | 30            | 27            | 25            | 30            | 27            | 36            |
|             | % change in rate <sup>2</sup> | ***           | -8%                   | 23%                 | 8%            | -7%           | 13%           | -10%          | -9%           | 21%           | -8%           | 34%           |
| Total       | number                        | 65,938        | 60,747                | 64,923              | 74,196        | 75,104        | 64,636        | 54,847        | 54,950        | 57,205        | 56,251        | 61,658        |
|             | rate <sup>1</sup>             | 278           | 253                   | 268                 | 303           | 303           | 257           | 216           | 215           | 221           | 216           | 233           |
|             | % change in rate <sup>2</sup> | ***           | -9%                   | 6%                  | 13%           | **            | -15%          | -16%          | -1%           | 3%            | -3%           | 8%            |
|             |                               |               | 1988                  | 1989                | 1990          | 1991          | 1992          | 1993          | 1994          | 1995          | 1996          | 1997          |
| Cannabis    | number                        |               | 40.030                | 40.243              | 38,810        | 33,267        | 34,993        | 35,995        | 40,496        | 43,845        | 47,234        | 47,908        |
| Carriagio   | rate <sup>1</sup>             |               | 149                   | 147                 | 140           | 119           | 123           | 125           | 139           | 149           | 159           | 160           |
|             | % change in rate <sup>2</sup> |               | -8%                   | -1%                 | -5%           | -15%          | 4%            | 2%            | 11%           | 7%            | 7%            |               |
| Heroin      | number                        |               | 937                   | 954                 | 1,206         | 1,362         | 1,449         | 1,595         | 1,607         | 1,236         | 1,287         | 1,235         |
|             | rate1                         |               | 3.5                   | 3.5                 | 4.4           | 4.9           | 5.1           | 5.6           | 5.5           | 4.2           | 4.3           | 4.1           |
|             | % change in rate <sup>2</sup> |               | 21%                   |                     | 25%           | 12%           | 5%            | 9%            | **            | -24%          | 3%            | -5%           |
| Cocaine     | number                        |               | 11,036                | 16,158              | 12,765        | 16,114        | 14,139        | 12,523        | 12,339        | 11,369        | 11,478        | 11,419        |
|             | rate <sup>1</sup>             |               | 41                    | 59                  | 46            | 57            | 50            | 44            | 42            | 39            | 39            | 38            |
|             | % change in rate <sup>2</sup> |               | 33%                   | 44%                 | -22%          | 25%           | -13%          | -12%          | -3%           | -9%           |               | -2%           |
| Other Drugs | number                        |               | 7,427                 | 9,606               | 7,864         | 6,350         | 8,300         | 6,704         | 5,711         | 5,163         | 5,730         | 5,959         |
|             | rate <sup>1</sup>             |               | 28                    | 35                  | 28            | 23            | 29            | 23            | 20            | 18            | 19            | 20            |
|             | % change in rate <sup>2</sup> |               | -24%                  | 27%                 | -19%          | -20%          | 29%           | -20%          | -16%          | -11%          | 10%           | 3%            |
| Total       | number                        |               | 59,430                | 66,961              | 60,645        | 57,093        | 58,881        | 56,817        | 60,153        | 61,613        | 65,729        | 66,521        |
|             | rate <sup>1</sup>             |               | 222                   | 245                 | 219           | 204           | 207           | 198           | 207           | 210           | 222           | 222           |
|             | % change in rate <sup>2</sup> |               | -5%                   | 11%                 | -11%          | -7%           | 2%            | -5%           | 5%            | 1%            | 6%            |               |

Rates are calculated on the basis of 100,000 persons. Population estimates come from the Demography Division, Census and Demographic Statistics Branch, Statistics Canada. Population to July 1: revised intercensal estimates for 1977 to 1995; updated post-census estimates for 1996 and 1997.

% changes are based on non-rounded rates.

... figures not appropriate.

numbers too small to be expressed.

Source: Uniform Crime Reporting Survey, CCJS.

Table 7

## Number and Rate of Drug Offences by Type of Offence, Canada, 1977-1997

|              |                               | 1977   | 1978   | 1979   | 1980   | 1981   | 1982   | 1983   | 1984   | 1985   | 1986   | 1987   |
|--------------|-------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Possession   | number                        | 54,130 | 48,325 | 51,279 | 58,459 | 58,838 | 47,190 | 39,230 | 41,386 | 42,039 | 39,596 | 41,182 |
|              | rate1                         | 228    | 202    | 212    | 238    | 237    | 188    | 155    | 162    | 163    | 152    | 156    |
|              | % change in rate <sup>2</sup> | ***    | -12%   | 5%     | 13%    | -1%    | -21%   | -18%   | 5%     | 1%     | -7%    | 3%     |
| Trafficking  | number                        | 10,816 | 11,088 | 12,522 | 14,566 | 15,183 | 15,912 | 13,792 | 11,979 | 13,639 | 14,941 | 18,411 |
|              | rate1                         | 46     | 46     | 52     | 59     | 61     | 63     | 54     | 47     | 53     | 57     | 70     |
|              | % change in rate <sup>2</sup> |        | 1%     | 12%    | 15%    | 3%     | 4%     | -14%   | -14%   | 13%    | 8%     | 22%    |
| Importation  | number                        | 397    | 531    | 507    | 503    | 487    | 768    | 950    | 875    | 886    | 1,038  | 1,023  |
|              | rate1                         | 1.7    | 2.2    | 2.1    | 2.1    | 2.0    | 3.1    | 3.7    | 3.4    | 3.4    | 4.0    | 3.9    |
|              | % change in rate <sup>2</sup> |        | 32%    | -5%    | -2%    | -4%    | 56%    | 22%    | -9%    |        | 16%    | -3%    |
| Cultivation  | number                        | 595    | 803    | 615    | 668    | 596    | 766    | 875    | 710    | 641    | 676    | 1,042  |
|              | rate1                         | 2.5    | 3.4    | 2.5    | 2.7    | 2.4    | 3.0    | 3.4    | 2.8    | 2.5    | 2.6    | 3.9    |
|              | % change in rate <sup>2</sup> |        | 34%    | -24%   | 7%     | -12%   | 27%    | 13%    | -20%   | -11%   | 4%     | 52%    |
| Total        | number                        | 65,938 | 60,747 | 64,923 | 74,196 | 75,104 | 64,636 | 54,847 | 54,950 | 57,205 | 56,251 | 61,658 |
|              | rate <sup>1</sup>             | 278    | 253    | 268    | 303    | 303    | 257    | 216    | 215    | 221    | 216    | 233    |
|              | % change in rate <sup>2</sup> | •••    | -9%    | 6%     | 13%    |        | -15%   | -16%   | -1%    | 3%     | -3%    | 8%     |
|              |                               |        | 1988   | 1989   | 1990   | 1991   | 1992   | 1993   | 1994   | 1995   | 1996   | 1997   |
| Possession   | number                        |        | 39,322 | 43,053 | 38,187 | 32,221 | 33,786 | 34,170 | 37,704 | 38,560 | 41,726 | 41,293 |
| , 000000,011 | rate1                         |        | 147    | 158    | 138    | 115    | 119    | 119    | 130    | 131    | 141    | 138    |
|              | % change in rate <sup>2</sup> |        | -6%    | 8%     | -13%   | -17%   | 4%     |        | 9%     | 1%     | 7%     | -2%    |
| Trafficking  | number                        |        | 18,118 | 21,590 | 20,268 | 21,818 | 20,708 | 18,672 | 17,874 | 17,394 | 17,913 | 17,217 |
|              | rate1                         |        | 68     | 79     | 73     | 78     | 73     | 65     | 62     | 59     | 60     | 57     |
|              | % change in rate <sup>2</sup> |        | -3%    | 17%    | -8%    | 6%     | -6%    | -11%   | -5%    | -4%    | 2%     | -5%    |
| Importation  | number                        |        | 875    | 943    | 856    | 1,052  | 1,449  | 1,180  | 1,141  | 1,202  | 1,056  | 1,379  |
|              | rate1                         |        | 3.3    | 3.5    | 3.1    | 3.8    | 5.1    | 4.1    | 3.9    | 4.1    | 3.6    | 4.6    |
|              | % change in rate <sup>2</sup> |        | -16%   | 6%     | -11%   | 21%    | 36%    | -19%   | -4%    | 4%     | -13%   | 29%    |
| Cultivation  | number                        |        | 1,115  | 1,375  | 1,334  | 2,002  | 2,938  | 2,795  | 3,434  | 4,457  | 5,034  | 6,632  |
|              | rate1                         |        | 4.2    | 5.0    | 4.8    | 7.1    | 10     | 10     | 12     | 15     | 17     | 22     |
|              | % change in rate <sup>2</sup> |        | 6%     | 21%    | -4%    | 48%    | 45%    | -6%    | 21%    | 28%    | 12%    | 30%    |
| Total        | number                        |        | 59,430 | 66,961 | 60,645 | 57,093 | 58,881 | 56,817 | 60,153 | 61,613 | 65,729 | 66,521 |
|              | rate <sup>1</sup>             |        | 222    | 245    | 219    | 204    | 207    | 198    | 207    | 210    | 222    | 222    |
|              | % change in rate <sup>2</sup> |        | -5%    | 11%    | -11%   | -7%    | 2%     | -5%    | 5%     | 1%     | 6%     | **     |

<sup>&</sup>lt;sup>1</sup> Rates are calculated on the basis of 100,000 persons. Population estimates come from the Demography Division, Census and Demographic Statistics Branch, Statistics Canada. Population to July 1: revised intercensal estimates for 1977 to 1995; updated post-census estimates for 1996 and 1997.

<sup>2</sup> % changes are based on non-rounded rates... ligures not appropriate.

— numbers too small to be expressed.

Source: Uniform Crime Reporting Survey, CCJS.

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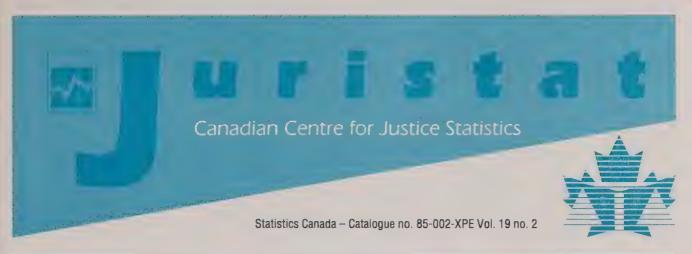
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Adult Correctional Services in Canada, 1995-96



# **YOUTH COURT STATISTICS 1997-98 HIGHLIGHTS**

Dianne Hendrick\*

# **Highlights**

- In 1997-98, there were 110,883 cases processed in the youth courts of Canada. This volume remains essentially unchanged from the previous year.
- Almost half of all cases involved property crimes. By contrast, one in five cases involved violent crimes; about one-half of violent crime cases were common assaults.
- Sixteen and 17 year olds accounted for 51% of cases, 14 and 15 year-olds for 37%, and 12 and 13 year-olds for 12%. Males accounted for eight in ten cases and they predominated in all age groups.
- Two-thirds of cases heard in youth court resulted in a conviction.
- Probation was the most serious sentence ordered in 48% of all cases with convictions.
- Custody (open and secure) was ordered in one-third of cases with convictions, with three-quarters of these cases having a sentence of three months or less.
- One-half of all youth court cases were dealt with by the courts in two months or less.
- Repeat offenders (defined as youths with at least one prior conviction) accounted for four of every ten convictions.

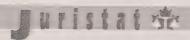
#### Six Year Trends

- The rate of youth court cases per 10,000 youths declined by 9% from 1992-93 to 1997-98.
- In each of the years from 1992-93 to 1997-98, the rate of property crime cases decreased annually, dropping 25% over this period. In contrast, the rate of violent crime cases increased by 4% since 1992-93.
- From 1992-93 to 1997-98, the rate of youth court cases for males dropped by 12%, while the rate for females increased by 5%.
- Custodial sentences are getting shorter. Cases with custodial sentences of three months or less accounted for 77% of 1997-98 custody cases compared to 71% in 1992-93.



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March 1999 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

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## Introduction

Providing effective treatment and rehabilitation of young offenders, and ensuring the safety of Canadian communities are primary objectives of the youth justice system. The *Young Offenders Act*, proclaimed in 1984, introduced rights for adolescents previously guaranteed for adults only; recognized the special needs of youths due to varying levels of maturity; the necessity for youths to accept responsibility for unlawful action; and the right of society to protection from illegal behaviour. In response to concerns about the effectiveness of the law, the current *Young Offenders Act* will soon be replaced by new legislation. The Youth Court Survey, through the collection and dissemination of youth court information, continues to assist policy-makers and program managers as they redefine the nature of Canada's youth justice system. The Youth Court Survey captures the court process and response to youth crime rather the prevalence of criminal activity.

# **Caseload Trends**

#### Youth Court caseload declining

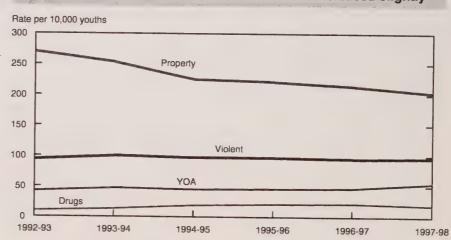
In recent years, the number of cases heard in youth courts has varied little; however, the number processed in 1997-98 was 4% lower than in 1992-93. The 110,883 federal statute cases heard in 1997-98 include cases under the *Criminal Code*, the federal drug laws, and the *Young Offenders Act*.

The types of cases processed under the *Criminal Code* included property crimes (49,602 cases in 1997-98) and violent crimes (23,711 cases) in addition to other types of crimes (19,316 cases), such as the administrative offences of "failure to appear" in court and "escaping custody". Following *Criminal Code* cases, those under the *Young Offenders Act* (13,443 cases) were the most common, while drug crimes (4,549 cases) and other federal statute crimes (262 cases) are less common. (For a description of crime categories, see the end of the report.)

Adjusting for the effects of growth in the youth population, the rate of youth court cases per 10,000 youths decreased by 9% since 1992-93 (Table 1). This decline largely reflects a decrease in the property crime case rate by 25% during these

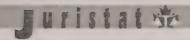
Figure 1

# The rate of property crime cases in youth court has dropped since 1992-93, while the rate of violent crime cases increased slightly



Source: Youth Court Survey, Canadian Centre for Justice Statistics.

<sup>&</sup>lt;sup>1</sup> Refer to Juristat "Canadian Crime Statistics, 1997" for counts of youths charged by police.



#### **Youth Court Statistics**

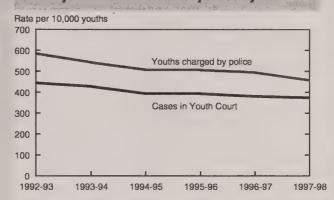
This Juristat is based on Youth Court Survey (YCS) data collected by the Canadian Centre for Justice Statistics (CCJS) in collaboration with provincial and territorial government departments responsible for youth courts. The YCS collects data from youth courts on persons aged 12 to 17 appearing on federal statute offences. Federal statute offences in this report include Criminal Code offences, drug offences, the Young Offenders Act (YOA) offences, and other federal statute offences. As of the 1992-93 reporting year, all youth courts in Canada reported to the YCS.

The unit of analysis is the case, which is defined by the YCS as one or more charges laid against a young person, presented in a youth court on the same date. Case counts are categorized by the most serious charge, most serious decision and most serious disposition. Consequently, less serious charges, decisions and dispositions are under-represented.

Differences across the country in persons reporting incidents to police, in procedures and eligibility requirements for police diversion, and alternative measures programs, and in provincial policy directing Crown discretion may influence the volumes and characteristics of cases heard in youth courts. example, alternative measures programs, which are intended to be alternatives to formal judicial proceedings for youths enrolled in a program, differ among the jurisdictions in eligibility criteria (e.g., may be restricted to first-time offenders), timing (i.e., pre-charge or post-charge) and coverage (e.g., less serious crimes only). Pre-charge screening by the Crown is mandatory in New Brunswick, Quebec, and British Columbia. Together, these processes function to keep less serious cases out of court and reduce workload in court. Consequently, these factors must be considered for comparison among jurisdictions. In addition, these data should not be used as an indicator of total youth criminal activity because not all youth crime is reported to police, and not all youths in conflict with the law proceed to court.

A comparison of the rate of youths charged by police and the rate of cases processed by youth courts illustrates the diminishing involvement of youths in the criminal justice system in recent years. From 1992 to 1997, the rate of youths charged with Criminal Code crimes declined by 22%, a factor reflected in the rate of cases brought to youth court, which declined by 16% during these years.

# The trend in police and court counts closely correspond, showing decreasing involvement of youths in the criminal justice system\*



\* To compare these Criminal Code counts from police data (Uniform Crime Reporting Survey) and court data (YCS), impaired driving cases and other motor vehicle offences were excluded from the YCS counts.

Sources: Youth Court Survey, 1992-93 to 1997-98, and the Uniform Crime Reporting Survey, 1992-1997, Canadian Centre for Justice Statistics.

years: in 1997-98, there were 203 property cases heard per 10,000 youths compared to 270 cases per 10,000 in 1992-93. The rate of property crime cases decreased markedly for several large offence groups: fraud (-34%), theft (-27%), breaking and entering (-25%), and possession of stolen property (-25%).

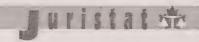
While the rate of violent crime cases has varied only slightly since 1994-95, the rate increased by 2% in 1997-98 over the previous year to 97 cases per 10,000 youths. Large increases occurred in the rate of cases for robbery (+35%) and aggravated assault/assault with a weapon (+16%), while the rate increased slightly for cases of common assault (+3%).

Growth occurred in some administrative offence cases. For example, the rate of "failure to appear" in court increased by 12% since 1992-93.

From 1992-93 to 1997-98, the rate of cases heard under the *Young Offenders Act* increased by 30% to 55 cases per 10,000 youths. Nearly all cases heard in this category dealt with a "failure to comply" with a previous court disposition.

Although the rate of drug cases declined by 16% in 1997-98, the rate nearly doubled from 1992-93 to 1997-98, to 19 cases per 10,000 youths. Most of these drug cases involved possession of a narcotic.

While the rate of youth court cases for Canada declined by 9% since 1992-93, some jurisdictions reported increases: New Brunswick (+15%), Nova Scotia (+13%), Saskatchewan (+8%) and Quebec (+7%). In addition, Yukon showed rapid growth in the rate of cases heard as the small number of cases doubled.



#### Youth and Youth Crime in Context

Population - 19971

- total Canadian population was 30.3 million with 2.4 million youths 12 through 17 years of age (8% of total)
- demographic projections for youths over the next 5 years suggest declines or no change in jurisdictions east of Ontario, and increases in other jurisdictions

Persons charged by police in 19972

545,000 adults and youths charged with federal offences, excluding traffic crimes

· 121,100 youths charged

· youth represent 22% of all persons charged

Youths convicted in court, 1997-98

- 46,000 young offenders (74,000 cases with convictions)
  - 2% of the youth population of Canada were convicted
- 3% of 16 and 17 year old population were convicted
- 1 Post-Censal Estimates, as of July 1st, Demography Division, Census and Demographic Statistics Branch, Statistics Canada.

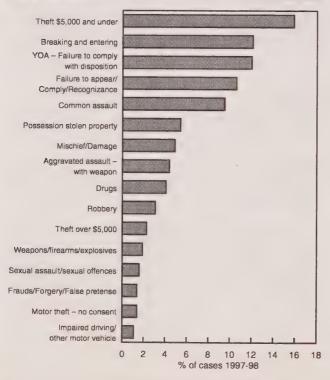
# 1997-98 Case Characteristics

#### Property crimes predominate

Of the 110,883 cases heard in youth courts in Canada in 1997-98, property crime cases accounted for 45% of these cases. The most common youth court cases were: theft \$5,000 and under, breaking and entering, the YOA's failure to comply with a court disposition, the *Criminal Code*'s administrative offences (i.e., "failure to appear" in court, "failure to comply" with a previous court order, "breach of recognizance") and common assault. Together, these five crime types accounted for 60% of cases (Figure 2).

Figure 2

# Property crimes were the most common cases in youth court



Source: Youth Court Survey, Canadian Centre for Justice Statistics.

| Cases by Major Crime Category, 1997-98 |                  |  |  |  |  |  |
|--|------------------|--|--|--|--|--|
|  | % of total cases |  |  |  |  |  |
| Property                               | 45               |  |  |  |  |  |
| Violent                                | 21               |  |  |  |  |  |
| Other Criminal Code                    | 17               |  |  |  |  |  |
| YOA                                    | 12               |  |  |  |  |  |
| Drugs                                  | 4                |  |  |  |  |  |
| Other federal                          | < 1              |  |  |  |  |  |

#### Common assault cases accounted for almost onehalf of violent crime cases

Violent crime cases accounted for 21% of the total youth court caseload in 1997-98. Common assaults² accounted for 44% of violent offence cases, while murder, manslaughter and attempted murder cases together accounted for 1% of violent crime cases heard in youth courts. There were 61 cases of murder and manslaughter, and 74 cases of attempted murder.

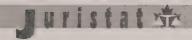
| Violent crime case                | ES, 1331-30              |
|-----------------------------------|--------------------------|
|                                   | % of violent crime cases |
| Common assault                    | 44                       |
| Aggravated assault/with weapon    | 21                       |
| Robbery                           | 14                       |
| Weapons/firearms/explosives       | 9                        |
| Sexual assault/offences           | 9                        |
| Murder/manslaughter/attempted mur | rder 1                   |
| Other                             | 3                        |

### Half of youth court cases involve 16 and 17 year olds

Sixteen and 17 year-olds appear more often in youth court than other age groups. In 1997-98, 16 and 17 year-olds accounted for 51% of cases, 14 and 15 year-olds for 37%, and 12 and 13 year-olds for 12%. The proportion of the caseload for 12 and 13 year-olds has increased slightly in recent years (11% in 1992-93 versus 12% in 1997-98), while

Uniform Crime Reporting Survey, 1997, Canadian Centre for Justice Statistics, Statistics Canada.

<sup>&</sup>lt;sup>2</sup> Refers to the least serious form of assault and includes pushing, slapping, punching and face-to-face verbal threats.



the proportion of cases involving 16 and 17 year-olds has decreased (53% in 1992-93 versus 51% in 1997-98).<sup>3</sup>

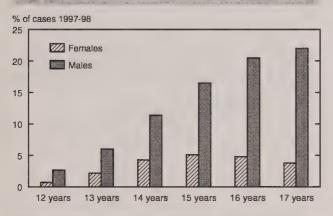
Younger adolescents appeared in youth court for different kinds of offences than older youths. Twelve and 13 year-olds were proportionately more involved in theft of goods valued at \$5,000 and under, common assault, and mischief, whereas 16 and 17 year-olds were proportionately more involved with offences related to failure to comply with a disposition, drugs, and possession of stolen property (Table 2).

#### Males account for eight in ten youth court cases

Males accounted for eight in ten youth court cases and they predominate in all age groups. Male involvement in crime tended to increase with age, while female involvement peaked at 15 years of age (Figure 3). Among males, 16 and 17 year-olds accounted for 54% of cases, while the comparable figure for females was 41% in 1997-98.

Figure 3

# Court activity for females peaked at age 15 while male activity continued to increase



Note: Excludes 2,413 cases (2.0%) in which the age of the youth was under 12 or over 17 or unknown.

Source: Youth Court Survey, Canadian Centre for Justice Statistics.

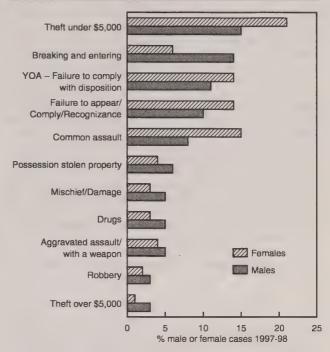
Females appearing in youth court were more likely to be involved in cases of theft under \$5,000 (representing 21% of cases involving females versus 15% of cases involving males) and common assault (15% versus 8%) (Figure 4). Males were most likely to be involved in cases of theft under \$5,000 and breaking and entering. Female involvement has risen slowly, from 18% of cases in 1992-93 to 21% in 1997-98.

Adjusting for the effects of growth in the population, the rate of youth court cases for males dropped by 12% from 1992-93 to 1997-98, while the rate for females increased by 5%.

While males continued to predominate in all types of cases, the rate of violent crime cases varied only slightly for males (-1%) compared to a 25% increase for females from 1992-93 to 1997-98. Among violent crimes, the largest increases for females were in the rates of robbery and assault cases. The rate of robbery cases for males remained four times larger than for females (23 cases per 10,000 males versus

Figure 4

# Both males and females were more likely to appear in youth court in cases of theft under \$5,000 than other crimes



Source: Youth Court Survey, Canadian Centre for Justice Statistics.

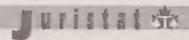
5 cases per 10,000 females in 1997-98), however, the rate for males moderately increased (+ 26%) compared to the much larger increase for females (+115%). The rate of common assault decreased by 2% for males compared to a 14% increase for females, yet the rate for males continued to be twice the rate for females (57 cases per 10,000 males versus 28 cases per 10,000 females). The rate of serious assault for males remained four times larger than for females but increased more slowly (+12%) compared to females (+38%).

From 1992-93 to 1997-98, the rate increase for the administrative offence "failure to appear" in court was about five times larger for females than males. The rate of cases for females increased by 29% compared to 6% for males, although the rate for males remained more than twice the rate for females (68 per 10,000 males versus 27 per 10,000 females).

The rate of YOA cases increased for both males and females from 1992-93 to 1997-98; however, the rate for "failure to comply" with a disposition of the court increased by 19% for males (to 80 cases per 10,000 males) and by 46% for females (to 28 cases per 10,000 females).

While the rate of property crime cases decreased for both males (-26%) and females (-18%) from 1992-93 to 1997-98,

<sup>&</sup>lt;sup>3</sup> Excludes cases with age unknown, greater than 17 and less than 12 (2.413 cases).



the rate for females increased in cases of taking a motor vehicle without consent (+10%), mischief/damage (+9%), and breaking and entering (+6%).

The youth population is only one of many factors that influence the volume of cases heard in court (Table 3). For example, Quebec accounted for 24% of the youth population and only 10% of the caseload. The unique approach to justice administration in each province and territory may account for some variation in the nature and volume of the caseload. Ontario requires all youths that participate in an alternative measures program to be charged and appear in court, whereas Quebec and British Columbia do not. Therefore, alternative measures cases have been removed from the caseload, where possible, to increase comparability among jurisdictions. (See Methodology for more information.)

While the rate of youth court cases at the national level in 1997-98 remained stable over the previous year, the rate increased in several jurisdictions: British Columbia (+20%), Manitoba (+11%), Saskatchewan (+6%) and Alberta (+2%). All other jurisdictions reported decreases in the rate of youth court cases ranging from -21% in Newfoundland to -3% in New Brunswick and Québec.

# One-half of all cases are processed in two months or less

The successful rehabilitation of a young offender is often reliant on a prompt court process. In 1997-98, one-half of all cases were processed in two months or less from the time of the youth's first court appearance to sentencing, with only 18% of cases lingering longer than six months. In fact, two in ten cases were completed at the first court appearance, and the majority of these cases ended in convictions. Cases dismissed, full trials and cases transferred to adult court have the longest elapsed times. Half of all transfers to adult court spent more than four months in the youth courts prior to the decision to transfer, a reflection of the seriousness of the matter. The median elapsed time for all cases in 1997-98 was 59 days. Manitoba and Ontario had the longest median elapsed times of 84 and 69 days, respectively.

#### Victims of Youth Violence

The most likely victims of youth violence are other youths and male youths in particular.\*\* In 1997, more than half (56%) of all victims of youth violence were other youths, while an additional 10% were children. (A Profile of Youth Justice in Canada, pp. 31) Twelve to 17 year-olds were identified as victims in common assault cases involving young accused as often as adults (55% in both cases) while youths were slightly more often the victims of robbery (16% versus 13%). Children less than 12 years-old were most often the victims of youths in common assault (43%) or sexual assaults (34%).

Six in ten victims of youth violence were male. Males were more often victims of robbery (17% versus 8%) and serious assault (21% versus 13%) compared to females. Three in four victims of youth violence knew the accused. Refer to A Profile of Youth Justice in Canada for more information.

\*\* Information on the victims of young offenders is taken from a sample of criminal incidents captured by the Incident-based Uniform Crime Reporting Survey. In 1997-98, 53% of cases involved only one charge, 38% had two charges, 8% three charges and 1% more than three charges.

## **Decisions in Youth Court**

# About two-thirds of youth court cases result in a conviction

Cases that resulted in a conviction (a finding of guilt for at least one charge) accounted for 67% of cases heard in youth court in 1997-98 (Table 4). Proceedings were stayed or withdrawn in 29% of cases, and another 4% resulted in findings of not guilty or dismissal. Transfers to adult count accounted for just one-tenth of one percent of the 1997-98 caseload.

Revisions to the YOA in 1995 made transfers to adult court the standard response for serious violent crime cases involving 16 and 17 year-olds, unless otherwise ruled by the court. This provision applies to the crimes of first and second-degree murder, attempted murder and aggravated sexual assault. For these offences, the onus is on the accused to make an application to stay in youth court. For other crimes, the Crown or defence counsel must apply for transfer to adult court. Conditions stipulated in the Act for these transfers include a minimum age requirement of 14 years of age. Of the 79 cases transferred to adult court in 1997-98, one-half of these involved violent crimes, and one-quarter involved property crimes. Seven in ten transferred cases involved 16 and 17 year-olds.

The proportion of cases resulting in a conviction ranged from 55% in Manitoba, 59% in Yukon, and 61% in Ontario to 87% in both Prince Edward Island and New Brunswick, and 81% in Quebec (Table 4). These variations can in part be explained by differences in charging practices. For example, Manitoba recorded the highest proportion of cases stayed (43%) while Ontario reported 29% of cases withdrawn. High proportions of cases stayed or withdrawn may be indicative of charges set aside pending completion of alternative measures programs, or the systematic use of these decisions to correct or amend administrative records. (For more details, see the Methodology section.)

# **Dispositions in Youth Court**

# Most youth court dispositions are served in the community

Probation was the most serious disposition in one-half of cases with convictions (48% in 1997-98). The next most serious sentence was open custody in 18% of cases, followed by secure custody in 16%, a community service order in 7%, and fines in 6%. An additional 2% of cases ended in an absolute discharge, and 3% received another type of sentence (Table 5).

The percentage of cases with a community service order appears low because, in most cases, these orders are used as a condition of probation or in conjunction with a more



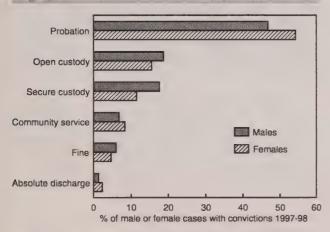
significant disposition. In fact, 30% of all cases resulting in a conviction included a community service order in 1997-98.

Many cases result in more than one sentence for a young offender. In 1997-98, 51% of all cases with a conviction involved only one disposition, 38% resulted in two sentences, and 10% involved three or more sentences. For those cases ending in multiple sentences, the most frequent combinations include probation and a community service order (46%), open custody and probation (22%), and secure custody and probation (14%).

About one-half of convictions for both males and females ended in a term of probation, although females were more likely than males to be ordered probation in 1997-98 (54% versus 47%). The differences between male and female young offenders were even more apparent for custody sentences. Thirty-six percent of cases for males ended in a term of custody compared to 27% for females. Differences for other types of dispositions were slight. Factors considered in sentencing include the type of offence committed, the circumstances in which the offence was committed, the criminal history of the offender and, in the case of custody under section 24(1) of the YOA, "the protection of society" and "the needs and circumstances of the young person".

Figure 5

# Males were more likely to serve a term of custody than females



Note: Excludes other dispositions including conditional discharge.

Source: Youth Court Survey, Canadian Centre for Justice Statistics.

The use of most types of sentences has varied little in recent years. The custodial sentences, fines, and absolute discharges have shown some variation (Table 6). While custody sentences have increased, fines and absolute discharges have decreased.

# Custody sentences are ordered in one-third of cases with convictions

In 1997-98, secure and open custody orders were the most serious sentences in 34% of cases across Canada. The jurisdictions varied widely in the use of custody, ranging from more than one-half of convictions in Prince Edward Island to one-quarter in Alberta (Table 7).

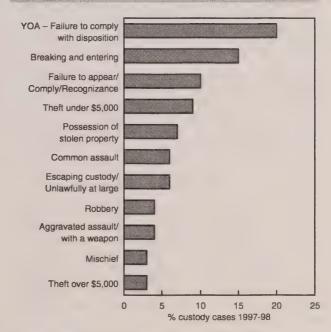
Statistics about custody provide an insight into two important questions. First, how likely is a particular offence to result in a term of custody? Custody was the most common sentence ordered in cases involving murder/manslaughter (93%), attempted murder (93%), aggravated assault (70%), and robbery (51%). As well, certain administrative offences tended to result in terms of custody. These included escape from custody/being unlawfully at large (91%) and failure to comply with a court disposition (48%).

The second, and slightly different question is, what types of crimes account for the majority of custody sentences? This information is useful for program planning by correctional officials and informs the public about the majority of offenders occupying custodial facilities. In 1997-98, the administrative offences accounted for just over one-third of custody cases: failure to comply with a disposition of the court accounted for 20%, failure to appear for 10% and escaping custody for 6% (Figure 6). Property crimes accounted for an additional one-third of custody cases, including breaking and entering (15%), theft under \$5,000 (9%), and possession of stolen property (7%). Common assault, the most common violent crime, accounted for 6% of custody cases, while all violent crime cases accounted for 17%.

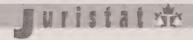
Under the YOA, the maximum sentence to secure or open custody is generally two years. However, this sentence can be three years if the crime would normally carry a maximum penalty of life imprisonment in adult court. In addition, the

Figure 6

# More than one-third of custody cases involved violations of administrative orders



Source: Youth Court Survey, Canadian Centre for Justice Statistics.



most serious crimes (first or second degree murder) carry higher sentences. First-degree murder carries a maximum custodial sentence of 10 years, however, the last four years may be served in the community under conditional supervision. Second-degree murder carries a maximum seven year custodial term where the final three years may be under conditional supervision. However, not all murder cases first heard in youth court are sentenced in youth court as the YOA transfer provisions to adult court would apply.

#### Sentence Review

The length of sentence ordered by the court may be subject to revision under conditions stipulated in section 28 of the *Young Offenders Act*. The court must review all custodial dispositions after one year and may reduce the term or type of disposition at that time. Otherwise, the initial sentence ordered is to be served. There is no parole or statutory release in the *Young Offenders Act*. All custodial types of dispositions are subject to review upon request by the parent, young offender, or provincial director (principal correctional service administrator). Although permission must be granted by the court if an insufficient amount of time has been served.

# The majority of custodial sentences are for three months or less

Of the 25,440 cases resulting in a custodial disposition (open and secure) in 1997-98, 31% were sentenced to less than one month, 46% from 1 to 3 months, 16% from 4 to 6 months, and 7% were for more than 6 months in custody. The median custodial sentence for custodial cases was 1 month.

Murder and manslaughter (13 cases) had the highest median custodial sentence length of 24 months, followed by attempted murder (14 cases) at 17 months, and aggravated assault (108 cases) at 5 months. Breaking and entering and theft of goods valued over \$5,000 resulted in median sentence lengths of 3 months, followed by motor vehicle theft and possession of stolen property at 2 months, and theft under and mischief cases at 1 month.<sup>4</sup>

The proportion of cases with short custodial sentences (three months or less) has increased from 71% of custody cases in 1992-93 to 77% in 1997-98. Of the cases ordered to open custody in 1992-93, 21% were for terms of less than one month, compared to 28% in 1997-98 (Figure 7). For secure custody cases, the proportion with orders of less than one month increased from 27% in 1992-93 to 35% in 1997-98.

#### Four in five probation terms are 12 months or less

Under the YOA, youth courts may sentence a young offender to probation for a maximum of two years. In 1997-98, a probation order was the most serious sentence for 48% of convictions. Of the 35,913 cases resulting in a term of probation as the most serious sentence, 23% were for a period of 6 month or less, 56% ranged from 7 to 12 months, and 22% were for more than 12 months. The median sentence length for a probation disposition was just under 1 year.

Figure 7

Λ

1992-93

# Length of custody continues to decrease

% secure or open custodial sentences

40
35
Secure custody < 1 month
30
25
Open custody < 1 month
15
Secure custody > 6 months
10
Open custody > 6 months

Source: Youth Court Survey, Canadian Centre for Justice Statistics.

1994-95

Probation, as the most serious sentence, was ordered most often for cases involving sexual assault/offences (65%), common assault (64%), and motor vehicle theft (60%). The median sentence length for each of these categories was 12 months. Sexual assault level 1 cases had one of the longest median terms of probation at 18 months.

1995-96

1996-97

1997-98

#### One-half of fines are \$100 or less

1993-94

Under the YOA, a young offender may be ordered to pay a fine with a maximum of \$1,000. In 1997-98, only 4,295 cases or 6% of convictions ended in a fine as the most serious sentence. Over half of the cases ended in fines of \$100 or less (55% of cases), and 43% were between \$101 and \$500, and 2% were over \$500. The average dollar amount was \$167.

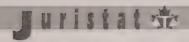
Fines, as the most serious sentence, were ordered most frequently in cases involving the impaired operation of a motor vehicle (49% of impaired operation convictions). Conviction for this offence had one of the highest average fines (\$366). The two most common cases heard in youth courts ended in lower fines, an average of \$222 for breaking and entering and \$125 for theft under.

# Repeat offenders are involved in four in ten convictions

As in previous years, approximately 43% of cases with convictions involved repeat offenders in 1997-98.<sup>5</sup> In comparison to first-time offenders, repeat offenders tended to be brought to court more often for property crimes and

The YCS does not distinguish between consecutive and concurrent sentences and does not include sentencing revisions made under review by the court. In multiple disposition cases, for example, the sentence length may be underestimated because of the assumption of concurrent sentences for all charges and may not reflect actual time ordered.

<sup>&</sup>lt;sup>5</sup> The repeat offender analysis excludes Nova Scotia for all years, Ontario prior to 1991-92 and NWT prior to 1989-90. All offences under the YOA and postdisposition offences under the Criminal Code (e.g. escapes) are also excluded.



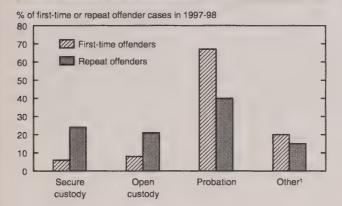
conversely, less often for violent crimes than first-time offenders. In 1997-98, for repeat offenders, 59% of cases involved property crimes and 23% violent crimes. Comparable figures for first-time offenders were 52% and 30% respectively. The use of police diversion and alternative measures programs for first-time offenders of minor property crime may have contributed to this difference.

Males were more likely to be repeat offenders than females. In 1997-98, 45% of male offender cases involved repeat offenders versus 33% of female offender cases.

First-time offenders were most likely to be given a term of probation (Figure 8). In 1997-98, 67% of convictions for first-time young offenders ended in probation compared to 40%

Figure 8

# Repeat offenders were three times more likely than first-time offenders to be given custody terms



Other includes all other sentences, for example, community service, absolute discharge, conditional discharges and fines.

Notes: Only the most serious sentence is shown.

Excludes Nova Scotia data, YOA and post-disposition offences.

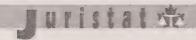
Source: Youth Court Survey, Canadian Centre for Justice Statistics.

for repeat offenders. Repeat offenders were three times more likely to be ordered to serve a term of custody (45%) than first-time offenders (13%). This wide gap was apparent for both violent crime cases (52% convictions to custody for repeat offenders versus 17% for first-time offenders) and property crime cases (44% versus 12%).

The most troublesome offender for the criminal justice system is the persistent offender, that is, the young offender who has been through the system many times. In 1997-98, persistent offenders, defined here as offenders with at least three prior convictions, accounted for 12% of convictions. Again, males were more likely to be persistent offenders than females (13% of the male caseload versus 6% of the female caseload). As young offenders move towards persistent reoffending, the number of charges per case increases. In addition, repeat offenders received harsher sentences as the number of prior convictions increased.

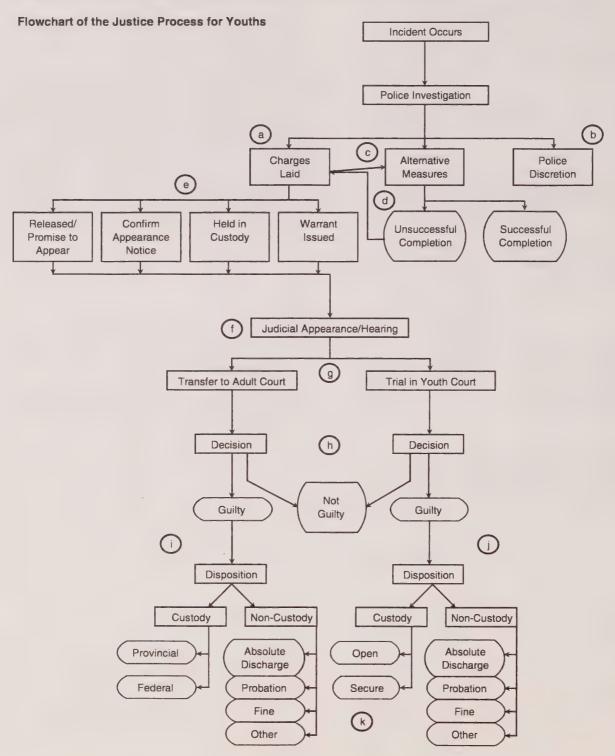
| Custody Sentences for First-time and Repeat<br>Offenders, 1997-98 |                           |                            |                             |  |  |  |  |
|---|---------------------------|----------------------------|-----------------------------|--|--|--|--|
| Number of Prior<br>Convictions                                    | Violent<br>Crime<br>Cases | Property<br>Crime<br>Cases | Total<br>Cases <sup>1</sup> |  |  |  |  |
|   |                           | %                          |                             |  |  |  |  |
| First-time offenders  | 17                        | 12                         | 13                          |  |  |  |  |
| Repeat Offenders  | 52                        | 44                         | 45                          |  |  |  |  |
| 1 prior conviction  | 40                        | 30                         | 32                          |  |  |  |  |
| 2 prior convictions   | 58                        | 48                         | 48                          |  |  |  |  |
| 3 or more prior convictions                                       | 69                        | 67                         | 65                          |  |  |  |  |

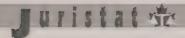
<sup>&</sup>lt;sup>1</sup> Includes other Criminal Code and other federal statute offences. Note: Excludes Nova Scotia data, YOA and post-disposition offences. Source: Youth Court Survey, Canadian Centre for Justice Statistics



#### **Justice Process for Youths**

Presented below is a model of the criminal justice process for youths under the *Young Offenders Act*. The process is mapped by a flowchart and labelled (a to k) to identify the corresponding description which is presented below the chart.





#### What is the youth justice process?

In order for youths to become involved in the justice system, the police must detect or be notified that a crime may have been committed. If the police are satisfied that an offence has occurred, they may use one of three options:

- (a) the police may charge the youth with a crime;
- (b) if it is a minor offence, the police may use discretion to divert the youth out of the formal justice system. This may involve speaking to the youth's parents about the incident and/or requiring the youth to apologize to the victim;
- (c) the youth may be diverted into an Alternative Measures program. The youth will be required to fulfil an alternative measures agreement either before or after charges have been laid. Some alternative measures programs currently in use include apologizing to the victim, counselling and restitution.
- (d) Should the youth fail to meet any of the conditions of the agreement, the charges may be reinstated and the case referred back to the formal court process.
- (e) Once charges are laid, a decision will be made about detention. Youths arrested by police on suspicion of a serious crime may be held in custody to await a hearing. A youth accused of a minor crime is likely to be served with an appearance notice at the scene of the crime instructing the youth when to appear in court or released into his or her parents' custody with a promise to appear at a hearing. An arrest warrant can be issued if the accused is known by police but has not been apprehended. Several factors, including the seriousness of the offence, the criminal history of the accused, and the province or territory within which the offence has occurred will affect what happens at this stage. Although the YOA applies equally across Canada, provinces and territories have different policies and programs.
- (f) Most youths are dealt with in youth courts; these are provincial/territorial courts that have special expertise and facilities. However, depending on the age of the youth, his or her background and the type of crime, a hearing may be conducted to determine if the youth should be transferred to adult court. Any youth aged 14 or over who has been charged with a serious (indictable) can be transferred. In such cases, the Crown must apply to have the case moved. All 16- and 17-year-olds charged with a serious violent offence (first degree and second degree murder, attempted murder, manslaughter and aggravated sexual assault) are transferred automatically. However, the individual's lawyer or the Crown can apply to have the case stay in youth court.
- (g) In youth court, all trials are conducted by a youth court judge. The only exception is the offence of murder, where the accused has the option of a judge and jury trial. In adult court, the youth is treated as an adult. For most serious offences, adults can select trial by judge or trial by judge and jury.
- (h) If the court decides that the youth is guilty, the judge will determine an appropriate disposition or sentence.
- If found guilty in adult court, youths face the same sentences as adults, except that youths sentenced to life in prison are

- eligible for parole earlier. At most, youths serve 10 years before becoming eligible for parole, whereas adults may have to serve up to 25 years.
- (j) Youths found guilty in youth court can be sentenced to secure custody, meaning that they serve time in a youth detention/correctional facility. This is the most severe kind of sentence and is generally reserved for violent, repeat and older offenders. A less severe form of incarceration is open custody; these sentences are usually served in community group homes. Non-custodial sentences include absolute discharge, conditional discharge, probation, a fine, compensation for the victim, or community service.

Two years in custody is the maximum penalty for offences not punishable by life under the *Criminal Code*. (Youths found guilty of more than one of these offences can be sentenced to a maximum of three years in custody.) For offences punishable by life, such as robbery, the maximum penalty is three years in custody. The maximum penalty for second degree murder is 7 years (4 years custody and 3 years supervision) and 10 years (6 years custody and 4 years supervision) for first degree murder.

(k) Sentences expire when the youth has fulfilled all of the requirements set out by the judge or when the judge changes the sentence at a review hearing. Otherwise, the youth may be sent back to court for failing to complete the sentence.

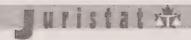
Depending on the seriousness and the frequency of the offences, young offenders who do not become re-involved in the justice system for three to five years after successfully completing their sentence will have their criminal records destroyed. For young offenders who become re-involved in the justice system before their three to five year period ends, their records will be considered during sentencing for all subsequent offences, including those committed as an adult.

# Methodology

The Youth Court Survey (YCS) is a census of *Criminal Code* and other federal statute offences heard in youth court for youths aged 12 to 17 (up to the 18th birthday) at the time of the offence. Though every effort is made by respondents and the Canadian Centre for Justice Statistics (CCJS) to ensure complete survey coverage, slight under-coverage may occur in some jurisdictions. Refer to the annual publication *Youth Court Statistics* for more information on data collection, editing, and compilation.

In this Juristat, the unit of analysis is the case, which is defined by the YCS as one or more charges laid against a young person and presented in a youth court on the same date. Case counts are categorized by the most serious charge, most serious decision and most serious disposition. Consequently, less serious charges, decisions and dispositions are under-represented.

The determination of the most serious charge at the beginning of court proceedings is by the ordering of charges from most to least serious. Violent charges are given first priority in the ordering process, followed by drug and narcotic offences, property offences, other *Criminal Code* offences, offences



under the Young Offenders Act (YOA), and other federal statute offences. Offences are further ranked within these offence categories. Refer to the annual publication Youth Court Statistics for more information on the ordering criteria.

Since a case with more than one charge may have more than one type of decision, the "most significant decision" has been selected for analysis on the basis of the following order from most to least serious: transfer to adult court; guilty; other decision (e.g., not fit to stand trial); stay of proceedings; charge withdrawn; or transfer to other jurisdiction; and not guilty or charge dismissed. The case is described by the most serious or "significant" charge in the case, which is associated with the court decision.

The most significant disposition is determined by the effect the disposition has on the young person. Dispositions are ordered from most to least serious as follows: secure custody, open custody, probation, fine, compensation, pay purchaser (a dollar amount to innocent purchaser of stolen goods), compensation in kind, community service order, restitution, prohibition/seizure/forfeiture, other disposition, conditional discharge and absolute discharge.

The reader is advised that the use of the decisions 'stay' and 'withdrawn' for administrative purposes (e.g., to reduce charges or to correct details on an information) vary by jurisdiction. To terminate and recommence a case for administrative purposes has been found to inflate the total number of cases reported to the Youth Court Survey. As much as 30% of the national caseload is stayed or withdrawn and a proportion of these are the result of administrative procedures. Ontario, Manitoba, Saskatchewan and British Columbia are most affected by this practice. Consequently the reader is encouraged to analyze cases with guilty findings (convictions) to increase comparability among the jurisdictions, where possible.

Differences in data over time and across jurisdictions result from a number of factors that reflect how the YOA has been implemented. Pre-court screening procedures may affect the number of youth appearing in court. The Crown Attorney, for example, may decide not to proceed with a charge, or the initial charge may be changed. Pre-charge screening by the Crown is mandatory in New Brunswick, Quebec and British Columbia. A youth may also be diverted from the court process into a program such as Alternative Measures (either before or after police lay charges) or a police diversion program.

Alternative Measures (AM) programs are generally reserved for first-time offenders and are limited to specific types of less serious offences. Except for New Brunswick, Ontario and Yukon, all AM programs are combined pre-and postcharge programs with the preference, and the general practice, to refer youths at the pre-charge stage (i.e. before charges are laid). In New Brunswick, the AM program operates at the pre-charge stage only. In Ontario, youths are only referred to AM programs at the post-charge stage (i.e. after charges are laid). In Yukon, the general practice is to refer youths to the AM program at the post-charge stage, although, on occasion, they may be referred at the precharge stage. AM cases are excluded from the Youth Court Survey data either in the jurisdiction or at the CCJS, if they are identified. Nevertheless, differences in procedures and eligibility requirements of these programs influence the volume and characteristics of cases heard in youth courts.

## References

Kong, Rebecca. "Canadian Crime Statistics, 1997" *Juristat.* Catalogue no 85-002-XPE, Vol.18, no. 11. Ottawa: Statistics Canada, Canadian Centre for Justice Statistics, 1998.

Stevenson, Kathryn, Jennifer Tufts, Dianne Hendrick and Melanie Kowalski. *A Profile of Youth Justice in Canada*. Catalogue no. 85-544-XPE, Ottawa: Statistics Canada, Canadian Centre for Justice Statistics, 1998.

Statistics Canada, Canadian Centre for Justice Statistics, Youth Court Statistics, 1997-98. Catalogue no. 85-522-XPB. Ottawa: March 1999.

#### Description of crime categories

Violent Crime: Murder; Manslaughter; Attempted Murder; Aggravated Sexual Assault; Sexual Assault/Weapon; Sexual Assault Level 1; Rape/Indecent Assault; Aggravated Assault; Assault with a Weapon; Cause Bodily Harm/Intent; Assault Level 1 (common assault); Unlawfully Cause Bodily Harm; Assaulting Peace Officer; Other Assaults; Robbery; Dangerous Use of Weapon; Possession of a Weapon; Other Weapon Offences; Infanticide and Other Related; Kidnapping/Hostage Taking; Extortion; Other Sexual Offences; Criminal Negligence

Property Crime: Break and Enter; Arson; Taking a Vehicle without Consent; Theft over \$5,000; Theft under \$5,000; Theft Unspecified; Theft Other; False Pretences; Forgery; Fraud; Other Fraudulent Transactions; Possession of Stolen Property; Mischief/Damage

Other Criminal Code: Impaired Operation; Escape Custody; Unlawfully at Large; Failure to Appear; Breach of Recognizance; Failure to Comply; Attempt/Accessories/Conspiracy; Disorderly Conduct/Nuisances; Abduction; Procuring; Bawdy House; Soliciting; Other Motor Vehicle Offences; Gaming and Betting; Against the Administration; Currency Offences; Exposure/Nudity; Public Morals; Public Order; Offences against the Person; Other Criminal Code

Narcotic Control Act, Food and Drugs Act, Controlled Drugs and Substances Act: Importing/Exporting; Trafficking in Narcotics; Possession of Narcotics; Failure to Disclose Rx; Cultivation; Trafficking in Drugs; Possession of Drugs; Other FDA.; Importing/Exporting; Trafficking in Controlled Drugs; Possession of Controlled Drug

Young Offenders Act: Failure to Comply with a Disposition; Failure to Comply with Undertaking; Contempt against Youth Court; Assist/Interfere/Other

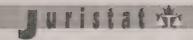


Table 1

# Cases Heard in Youth Court by Major Crime Category of the Serious Charge, Canada, 1992-93 to 1997-981

|  | 1992-93 | 1993-94 | 1994-95 | 1995-96 | 1996-97 | 1997-98 | % change<br>1992-93<br>to 1997-98 |
|--|---------|---------|---------|---------|---------|---------|-----------------------------------|
| Violent crime                          |         |         |         |         |         |         |                                   |
| number                                 | 21,653  | 23,374  | 23,010  | 23,084  | 23,044  | 23,711  |                                   |
| % caseload change*                     |         | 7.9     | -1.6    | 0.3     | -0.2    | 2.9     | 9.5                               |
| rate per 10,000                        | 94      | 100     | 97      | 97      | 95      | 97      |                                   |
| % rate change*                         | • • •   | 6.8     | -2.4    | -0.8    | -1.4    | 1.7     | 3.7                               |
| Property crime                         |         |         |         |         |         |         |                                   |
| number                                 | 62,456  | 59,138  | 53,007  | 52,743  | 51,767  | 49,602  |                                   |
| % caseload change*                     | ***     | -5.3    | -10.4   | -0.5    | -1.9    | -4.2    | -20.6                             |
| rate per 10,000                        | 270     | 253     | 225     | 221     | 214     | 203     |                                   |
| % rate change*                         | ***     | -6.3    | -11.1   | -1.6    | -3.1    | -5.3    | -24.8                             |
| Other Criminal Code crime <sup>2</sup> |         |         |         |         |         |         |                                   |
| number                                 | 18,517  | 18,918  | 18,327  | 19,173  | 18,285  | 19,316  |                                   |
| % caseload change*                     |         | 2.2     | -3.1    | 4.6     | -4.6    | 5.6     | 4.3                               |
| rate per 10,000                        | 80      | 81      | 78      | 80      | 76      | 79      |                                   |
| % rate change*                         | ***     | 1.1     | -3.9    | 3.5     | -5.8    | 4.4     | -1.2                              |
| Drug crime                             |         |         |         |         |         |         |                                   |
| number                                 | 2,331   | 3,130   | 4,522   | 4,897   | 5,353   | 4,549   |                                   |
| % caseload change*                     | 1+1     | 34.3    | 44.5    | 8.3     | 9.3     | -15.0   | 95.2                              |
| rate per 10,000                        | 10      | 13      | 19      | 21      | 22      | 19      |                                   |
| % rate change*                         | ***     | 32.8    | 43.3    | 7.1     | 7.9     | -16.0   | 84.8                              |
| YOA crime                              |         |         |         |         |         |         |                                   |
| number                                 | 9,780   | 11,024  | 10,704  | 10,906  | 11,335  | 13,443  |                                   |
| % caseload change*                     |         | 12.7    | -2.9    | 1.9     | 3.9     | 18.6    | 37.5                              |
| rate per 10,000                        | 42      | 47      | 45      | 46      | 47      | 55      |                                   |
| % rate change*                         |         | 11.5    | -3.7    | 8.0     | 2.6     | 17.2    | 30.2                              |
| Other federal statute crime            |         |         |         |         |         |         |                                   |
| number                                 | 450     | 365     | 173     | 224     | 281     | 262     |                                   |
| % caseload change*                     |         | -18.9   | -52.6   | 29.5    | 25.4    | -6.8    | -41.8                             |
| rate per 10,000                        | 2       | 2       | 1       | 1       | 1       | 1       |                                   |
| % rate change*                         |         | -19.8   | -53.0   | 28.1    | 23.9    | -7.8    | -44.9                             |
| Total cases                            |         |         |         |         |         |         |                                   |
| number                                 | 115,187 | 115,949 | 109,743 | 111,027 | 110,065 | 110,883 |                                   |
| % caseload change*                     | ***     | 0.7     | -5.4    | 1.2     | -0.9    | 0.7     | -3.7                              |
| rate per 10,000                        | 497     | 495     | 465     | 465     | 455     | 453     |                                   |
| % rate change*                         | •••     | -0.4    | -6.1    | 0.1     | -2.1    | -0.4    | -8.8                              |

<sup>\*</sup> refers to previous year.

<sup>...</sup> not applicable.

1 Most serious charge refers to the principal charge in the case.

<sup>&</sup>lt;sup>2</sup> Includes traffic crime cases.

Source: Youth Court Survey, Canadian Centre for Justice Statistics

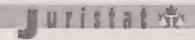


Table 2

# Cases Heard in Youth Court by Most Serious Charge and Age, Canada, 1997-981

|                                       | All Ages <sup>2</sup> |     | 12-    | 12-13 |        | 14-15  |        | 16-17 |  |
|---------------------------------------|-----------------------|-----|--------|-------|--------|--------|--------|-------|--|
|                                       |                       | %   |        | %     |        | %      |        | %     |  |
| Theft \$5,000 and under               | 17,634                | 16  | 2,678  | 21    | 6,877  | 17     | 7,958  | 14    |  |
| YOA                                   | 13,443                | 12  | 841    | 7     | 5,067  | 13     | 6,750  | 12    |  |
| Breaking and entering                 | 13,409                | 12  | 1,536  | 12    | 5,077  | 13     | 6,683  | 12    |  |
| Failure to Appear/Comply/Recog.       | 11,705                | 11  | 1,147  | 9     | 4,062  | 10     | 5,885  | 11    |  |
| Common assault                        | 10,535                | 10  | 1,861  | 15    | 4,121  | 10     | 4,351  | 8     |  |
| Possession stolen property            | 5,938                 | 5   | 506    | 4     | 2,132  | 5      | 3,243  | 6     |  |
| Mischief/Damage                       | 5,463                 | 5   | 898    | 7     | 2,000  | 5      | 2,517  | 5     |  |
| Aggravated assault/with weapon        | 4,897                 | 4   | 600    | 5     | 1,686  | 4      | 2,554  | 5     |  |
| Drugs                                 | 4,549                 | 4   | 196    | 2     | 1,312  | 3      | 2,997  | 5     |  |
| Robbery                               | 3,398                 | 3   | 361    | 3     | 1,357  | 3      | 1,617  | 3     |  |
| Theft over \$5,000                    | 2,591                 | 2   | 197    | 2     | 971    | 2      | 1,401  | 3     |  |
| Weapons/firearms/explosives           | 2,113                 | 2   | 190    | 2     | 724    | 2      | 1,175  | 2     |  |
| Escapes/Unlawfully at large           | 1,904                 | 2   | 138    | 1     | 711    | 2      | 1,004  | 2     |  |
| Sexual assault/Sexual offences        | 1,818                 | 2   | 452    | 4     | 704    | 2      | 625    | 1     |  |
| Frauds/Forgery/False Pretense         | 1,596                 | 1   | 78     | 1     | 435    | 1      | 1.055  | 2     |  |
| Motor theft-no consent                | 1,566                 | 1   | 160    | 1     | 684    | 2      | 706    | 1     |  |
| Impaired driving/other motor vehicule | 1,269                 | 1   | 4      |       | 98     | 100 00 | 1,151  | 2     |  |
| Other crimes <sup>3</sup>             | 7,055                 | 6   | 752    | 6     | 2,416  | 6      | 3,769  | 7     |  |
| Total cases                           | 110,883               | 100 | 12,595 | 100   | 40,434 | 100    | 55,441 | 100   |  |

<sup>--</sup> amount too small to be expressed.

Source: Youth Court Survey, Canadian Centre for Justice Statistics.

Table 3

#### Cases in Youth Court, Rate per 10,000 youths, 1997-98

|                       | % youth - population | % cases in youth court | Case rate per<br>10,000 youths | % rate change over 1996-97 | % rate change over 1992-93 |
|-----------------------|----------------------|------------------------|--------------------------------|----------------------------|----------------------------|
|                       | %                    | %                      | %                              | %                          | %                          |
| Newfoundland          | 2                    | 2                      | 423                            | -21                        | -1                         |
| Prince Edward Island  |                      |                        | 319                            | -17                        | -23                        |
| Nova Scotia           | 3                    | 3                      | 453                            | -3                         | 13                         |
| New Brunswick         | 3                    | 2                      | 367                            | -3                         | 15                         |
| Quebec                | 24                   | 10                     | 188                            | -4                         | 7                          |
| Ontario               | 37                   | 40                     | 493                            | -7                         | -15                        |
| Manitoba              | 4                    | 7                      | 792                            | 11                         | -2                         |
| Saskatchewan          | 4                    | 8                      | 942                            | 6                          | Ď.                         |
| Alberta               | 10                   | 15                     | 653                            | 2                          | -26                        |
| British Columbia      | 13                   | 12                     | 423                            | 20                         | -8                         |
| Yukon                 |                      |                        | 1.745                          |                            | 70                         |
| Northwest Territories |                      | 1                      | 875                            | -5                         | -14                        |
| Canada                | 100                  | 100                    | 453                            |                            | -9                         |

<sup>--</sup> amount too small to be expressed.

Source: Youth Court Survey, Canadian Centre for Justice Statistics.

<sup>&</sup>lt;sup>1</sup> Most serious charge refers to the principal charge in the case.

<sup>&</sup>lt;sup>2</sup> Includes 2,413 cases for which the age of the accused was unknown, greater than 17 or less than 12.

<sup>3</sup> Includes violent, property, and Criminal Code crimes not listed above, and other federal statute crimes.

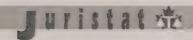


Table 4

### Cases by most serious decision, 1997-98

|                       | Total   | Guilty | Dismissed/<br>Not Guilty | Stayed/<br>Withdrawn | Other <sup>1</sup> |
|-----------------------|---------|--------|--------------------------|----------------------|--------------------|
|                       | (100%)  | %      | %                        | %                    | %                  |
| Newfoundland          | 2,197   | 80     | 4                        | 16                   |                    |
| Prince Edward Island  | 376     | 87     | n n                      | 13                   | -                  |
| Nova Scotia           | 3,472   | 73     | 12                       | 15                   | 1                  |
| New Brunswick         | 2,303   | 87     | 2                        | 11                   |                    |
| Quebec                | 10,881  | 81     | 8                        | 10                   | 1                  |
| Ontario               | 44,185  | 61     | 3                        | 36                   |                    |
| Manitoba              | 7,615   | 55     | 1                        | 44                   |                    |
| Saskatchewan          | 9,115   | 70     | 4                        | 25                   |                    |
| Alberta               | 16,579  | 70     | 3                        | 26                   | 1                  |
| British Columbia      | 13,059  | 70     | 3                        | 28                   |                    |
| Yukon                 | 506     | 59     | 8                        | 32                   | 2                  |
| Northwest Territories | 595     | 78     | 1                        | 21                   |                    |
| Canada                | 110,883 | 67     | 4                        | 29                   | DR 64              |

<sup>-</sup> nil or zero.

Includes transfer of jurisdiction and other decisions.
 Source: Youth Court Survey, Canadian Centre for Justice Statistics.

Table 5

#### Youth Court Cases with Guilty Findings by Most Serious Disposition and Most Serious Charge<sup>1</sup>, Canada, 1997-98

|                                    | Total guilty findings | Secure custody | Open custody | Probation | Fine | Community<br>Service | Absolute<br>discharge | Other <sup>2</sup> |
|------------------------------------|-----------------------|----------------|--------------|-----------|------|----------------------|-----------------------|--------------------|
|                                    | (100%)                |                |              |           | %    |                      |                       |                    |
| Murder/manslaughter                | 14                    | 86             | 7            | _         |      |                      | _                     |                    |
| Attempted murder                   | 15                    | 67             | 27           | -         | -    | -                    | -                     |                    |
| Robbery                            | 1,979                 | 27             | 25           | 43        |      | 3                    |                       | 2                  |
| Sexual assault/offences            | 950                   | 13             | 16           | 65        |      | 3                    | 1                     | 3                  |
| Aggravated assault/weapon          | 2,654                 | 19             | 19           | 56        | 1    | 3                    | 1                     | 2                  |
| Common assault                     | 7,001                 | 10             | 13           | 64        | 3    | 6                    | 2                     | 3                  |
| Weapons/firearms/explosives        | 1,201                 | 14             | 15           | 56        | 3    | 5                    | 3                     | 4                  |
| Total violent crime                | 14,273                | 15             | 16           | 58        | 2    | 5                    | 1                     | 3                  |
| Theft \$5,000 or less              | 10,658                | 9              | 13           | 57        | 7    | 11                   | 2                     | 2                  |
| Motor theft - no consent           | 1,067                 | 11             | 15           | 60        | 4    | 7                    | 1                     | 2                  |
| Theft over \$5,000                 | 1,477                 | 25             | 22           | 46        | 1    | 4                    |                       | 2                  |
| Breaking and entering              | 9,782                 | 18             | 21           | 54        | 1    | 4                    | No. 45                | 2                  |
| Possession stolen property         | 4,771                 | 18             | 21           | 48        | 4    | 6                    | 1                     | 2                  |
| False pretense                     | 1,079                 | 12             | 14           | 57        | 4    | 6                    | 1                     | 5                  |
| Mischief/Damages                   | 3,859                 | 10             | 12           | 60        | 3    | 8                    | 2                     | 5                  |
| Total property crime               | 33,506                | 14             | 17           | 55        | 4    | 7                    | 1                     | 3                  |
| Failure to appear/comply/recog.    | 6,618                 | 18             | 22           | 38        | 8    | 8                    | 2                     | 5                  |
| Escapes/unlawfully at large        | 1,778                 | 62             | 29           | 5         |      | 1                    |                       | 2                  |
| Impaired driving/other vehicle     | 1,079                 | 8              | 7            | 27        | 48   | 8                    | **                    | 3                  |
| YOA crime                          | 10,702                | 22             | 26           | 28        | 10   | 10                   | 1                     | 3                  |
| Failure to comply with disposition | 10,577                | 22             | 26           | 27        | 10   | 10                   | 1                     | 3                  |
| Drug crime                         | 3,076                 | 7              | 8            | 55        | 14   | 8                    | 5                     | 2                  |
| Other crimes <sup>3</sup>          | 12,971                | 21             | 19           | 36        | 10   | 7                    | 2                     | 5                  |
| Total cases with guilty findings   | 74,528                | 16             | 18           | 48        | 6    | 7                    | 2                     | 3                  |

<sup>-</sup> amount too small to be expressed.

<sup>&</sup>lt;sup>1</sup> Refers to the most serious charge with the sentence that has the greatest effect on the young person.

<sup>&</sup>lt;sup>2</sup> Includes restitution, prohibition, compensations, pay purchaser, essays, apologies, counseling programs and conditional discharges etc.

<sup>3</sup> Includes other Criminal Code and federal statute crimes not listed above.

Source: Youth Court Survey, Canadian Centre for Justice Statistics

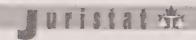


Table 6

# **Youth Court Dispositions, 1997-98**

|  | Secure<br>custody                            | Open<br>custody                              | Probation                                    | Fine                                   | Community<br>Service                   | Absolute<br>discharge           | Other                                  |
|--|--|--|--|--|--|---------------------------------|--|
|  |  |  |  | %                                      | -                                      |                                 |  |
| 1992-93<br>1993-94<br>1994-95<br>1995-96<br>1996-97<br>1997-98 | 14.6<br>15.2<br>15.7<br>14.9<br>15.7<br>16.4 | 17.0<br>18.0<br>18.4<br>18.5<br>18.1<br>18.1 | 49.1<br>48.5<br>48.2<br>49.1<br>50.8<br>48.2 | 6.9<br>6.6<br>6.0<br>5.8<br>4.8<br>5.8 | 6.7<br>6.2<br>6.6<br>6.9<br>6.1<br>7.1 | 3.7<br>3.5<br>3.3<br>2.9<br>2.0 | 1.9<br>2.0<br>1.9<br>2.1<br>2.6<br>3.0 |

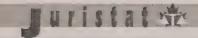
Source: Youth Court Survey, Canadian Centre for Justice Statistics.

Table 7

## Custody Cases, 1997-98

|                       |                          |         |    |   |    | Percentag                                  | e of custody                        | cases1            |                                    |       |
|-----------------------|--------------------------|---------|----|---|----|--|-------------------------------------|-------------------|------------------------------------|-------|
|                       | Total guilty<br>findings | Custody |    | Failure to comply with dy a disposition |    | Failure to<br>Appear/<br>Comply/<br>Recog. | Possession<br>of Stolen<br>Property | Common<br>Assault | Escapes/<br>Unlawfully<br>at large | Other |
|                       |                          | (100%)  | %  |   |    |  | %                                   |                   |                                    |       |
| Newfoundland          | 1,755                    | 657     | 37 | 13                                      | 22 | 9  | 4                                   | 7                 | 6                                  | 39    |
| Prince Edward Island  | 328                      | 177     | 54 | 20                                      | 21 | 5  | Ā                                   | 3                 | 1                                  | 46    |
| Nova Scotia           | 2,523                    | 769     | 30 | 23                                      | 16 | 9  | 5                                   | 8                 | 1                                  | 37    |
| New Brunswick         | 2,005                    | 602     | 30 | 28                                      | 16 | 5  | 5                                   | 6                 | ģ                                  | 33    |
| Quebec                | 8,861                    | 2,561   | 29 | 14                                      | 22 | 3  | 2                                   | 4                 | 7                                  | 47    |
| Ontario               | 27,033                   | 10,990  | 41 | 19                                      | 13 | 11   | 8                                   | . 8               | 6                                  | 35    |
| Manitoba              | 4,173                    | 1,277   | 31 | 15                                      | 14 | 15   | 8                                   | . 6               | 4                                  | 37    |
| Saskatchewan          | 6,415                    | 2,084   | 32 | 11                                      | 19 | 13   | 8                                   | 4                 | 14                                 | 31    |
| Alberta               | 11,594                   | 3,236   | 28 | 26                                      | 14 | 13   | q                                   | 4                 | 5                                  | 29    |
| British Columbia      | 9,082                    | 3,007   | 33 | 30                                      | 11 | 9  | 7                                   | 5                 | 3                                  | 35    |
| Yukon                 | 297                      | 138     | 46 | 34                                      | 13 | 9  | 6                                   | 2                 | 7                                  | 29    |
| Northwest Territories | 462                      | 172     | 37 | 12                                      | 42 | 6  | 2                                   | 8                 | 8                                  | 22    |
| Canada                | 74,528                   | 25,670  | 34 | 20                                      | 15 | 10   | 7                                   | 6                 | 6                                  | 35    |

<sup>1</sup> Refers to the most serious charge with the sentence that has the greatest effect on the young person. Source: Youth Court Survey, Canadian Centre for Justice Statistics



# **Canadian Centre for Justice Statistics**

Homicide in Canada, 1996

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## **SEX OFFENDERS**

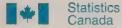
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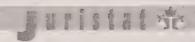
### HIGHLIGHTS

- In 1997, there were 30,735 sex offences reported to the police, representing 10% of violent crimes. The majority of incidents (85%) were classified as sexual assault level 1, the type involving the least physical injury to the victim. Sexual assault level 2 and level 3, the more serious forms, together constituted 3%. "Other" sexual offences, which most often involve sexual abuse of children, accounted for 12% of sexual offence incidents.
- After 1983 when new sexual assault legislation was passed, the rate of reported sex offences began to rise. Increases continued until 1993, at which point the rate peaked at 135 incidents per 100,000 population. Since then, the rate has been decreasing. The rate in 1997 was 25% lower than the 1993 peak. Nevertheless, it remained 74% higher than in 1983.
- According to data from a sample of police forces, the large majority of accused sex offenders are males. In 1997, males accounted for 98% of accused sex offenders. This was considerably higher than the overall figure for violent offences, which was 85%. Sex offenders were also somewhat older, with a median age of 32 years compared to 29 years for all violent offenders.
- In 1997-98, one in five cases involving adult sex offenders was transferred to superior court, where more serious cases are heard. For the remainder of cases in adult provincial/territorial courts, sentences for convicted sex offenders were more severe than for all violent offenders. In 1997-98, the majority of sex offenders (57%) were sentenced to prison compared with 38% for all violent offenders. Prison terms for sex offenders were longer, with 37% of terms exceeding 1 year, compared to an equivalent figure of 14% for all violent offenders.
- Sex offenders formed nearly one-tenth (9%) of all inmates on register in Canadian adult correctional institutions in a snapshot taken on October 5, 1996. Sex offenders accounted for 7% of inmates serving sentences of less than two years, but 14% of those serving two years or more.
- Inmates convicted of sex offences resembled all violent inmates in matters such as education, employment, marital and Aboriginal status. They were, however, older than most violent inmates. For example, almost half of federal inmates over 55 years of age were sex offenders.
- According to 1997 data from a sample of police forces, 62% of victims of sex offences were under 18 years old. This was quite different from violent offences generally, where 24% of victims were under 18. The majority of sex offence victims were female (82%). Males accounted for 18% of victims overall, but made up 31% of victims under 12 years of age.









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March 1999 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

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@ Minister of Industry, 1999

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# INTRODUCTION

Over the past twenty years, there has been growing public awareness and concern about the occurrence of sexual offending and the personal and societal costs associated with these acts. There has been a gradual reduction in the stigma associated with being a victim of these crimes and, as supports for victims have developed, there has been an apparent increased willingness of victims to report these crimes to police, often long after the abuse has occurred. In many cases, the perpetrators of these crimes are in trusted positions of authority and the victims are dependent children.

This *Juristat* presents statistical data on the prevalence of sexual offences reported to the police and the characteristics of the offenders and victims involved. It also highlights some of the salient issues associated with the response of the justice system and the public to offenders and their victims. Data sources include statistics collected by the police, courts and correctional institutions. These official sources probably represent only a small portion of all sexual offences and offenders, since results from victimization surveys suggest that as many as 90% of all sexual offences are not reported to the police.<sup>1</sup> Data concerning victims of sexual offences, including information available from victimization surveys, are presented in the final section of this report.

# **Sexual Offence Legislation**

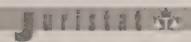
The law surrounding sexual offences has undergone several recent changes. In 1983, the offences of rape, attempted rape, and indecent assault were abolished and replaced with three new crimes of sexual assault that parallel the offences of assault. The definition of sexual assault now encompasses conduct ranging from unwanted sexual touching to sexual violence resulting in serious physical injury or disfigurement to the victim (see Sexual Offences defined).<sup>2</sup> The offence is assigned to one of three levels according to the seriousness of the offence or the degree of physical injury sustained by the victim in accordance with criteria set out in the Criminal Code. The purpose of these changes was to de-emphasize the sexual nature of the offence, to stress the violent and assaultive nature of such crimes, to encourage victims to report incidents to the police, and to improve police and court handling of cases, thereby reducing the trauma to victims and increasing the number of convictions (Roberts and Gebotys, 1992). In addition, as a result of the changes, both men and women can now be victims of sexual assault and "spousal immunity" no longer exists. Prior to 1983, a victim of what was then rape could only be a woman and a man could not be charged with raping his wife.

When implemented in 1983, the crime of sexual assault was not specifically defined. However in 1987, in the case of *R. v. Chase*, the Supreme Court of Canada ruled that a sexual assault is differentiated from common assault by the part of the body touched, the nature of the contact, the situation in which it occurred, the words or gestures accompanying the act, and all other circumstances surrounding the contact.

Further changes to sexual assault laws took place in 1991, when in the case of *R. v. Seaboyer and Gayme*, the Supreme Court struck down provisions of the sexual assault legislation that prevented a defendant from introducing evidence regarding the complainant's sexual history. Subsequent to this decision, new "rape shield" legislation was introduced in 1992. It provided a test to determine whether evidence of a complainant's sexual activity could be admitted at trial, and in addition, provided a definition of consent for the purposes of the sexual assault provisions. It also restricted the circumstances under which accused persons could say they "mistakenly believed" that the victim was consenting. It was established that the defence of mistaken belief could not be used if the belief stemmed from the accused's drunkenness, recklessness, or willful blindness, or if the accused did not take reasonable steps to determine whether the victim was in fact consenting.

The law does not take into account psychological harm to the victim.

For data on reporting rates see "Trends in Criminal Victimization: 1988-1993" by Rosemary Gartner and Anthony N. Doob in Juristat (Catalogue 85-002, Vol.14, No.13) and "Criminal Justice Processing of Sexual Assault Offences" by Julian Roberts in Juristat (Catalogue 85-002, Vol. 14, No. 7).



Also during 1995, in the case of *R. v. O'Connor*, the Supreme Court of Canada ruled that counseling and other personal records of sexual assault victims could be ordered to be produced to the accused in criminal court proceedings. The Court provided specific guidelines governing the production of such records to the court. Many believed that these guidelines were too lenient and the privacy and equality rights of the victims were not being protected.<sup>3</sup> Bill C-46, passed in 1997, restricts access to medical and other personal records of victims by providing new, clearer guidelines for determining how and under what circumstances defence lawyers can examine these records.<sup>4</sup>

### The law regarding children

Sexual assault offences (i.e., sexual assault levels 1, 2 and 3) are applicable regardless of whether the victim is a child or adult. However in 1988, several new offences were created to deal specifically with incidents of sexual abuse involving victims under 18 years of age. The new offences include sexual interference, invitation to sexual touching, sexual exploitation and incest (see Sexual Offences defined).

Also, legislation was passed in 1993 that authorized the courts to order specific prohibitions for convicted sex offenders and resulted in changes to protective orders and other administrative processes involved in sexual offence cases involving children. For example, the courts can order convicted sex offenders to stay away from parks and schools and prohibit them from working in positions of trust with children. As well, judges can prohibit accused sex offenders who are representing themselves, from personally cross-examining a child victim.

#### Children Involved in Prostitution

Children and youths under 18 years of age who are involved in prostitution are increasingly coming to be viewed as victims of child sexual abuse or exploitation. Often the victims of physical and sexual abuse at home, these children and youths are then exploited on the street by pimps and johns. In addition, they can risk sexually transmitted diseases and the consequences of drug abuse.

A 1998 Report by the Federal/Provincial/Territorial Working Group on Prostitution recommends that youths involved in prostitution be dealt with by child welfare and criminal justice systems as persons in need of assistance, as distinct from being treated as offenders. In addition, the 1998 Declaration and Agenda for Action on sexually exploited children and youths specifies that the term child or youth prostitute should no longer be used. These children and youths are sexually exploited and any language or reference to them should reflect this belief. The Declaration stems from the 1998 International Summit of Sexually Exploited Youth, a follow-up to the 1996 World Congress Against Commercial Sexual Exploitation Of Children organized by UNICEF.

The law (Sections 212 (2) and 212 (4) of the *Criminal Code*) prohibits living on the avails of prostitution or engaging, for money, the sexual services of a person under the age of 18. Some jurisdictions have proposed that johns and pimps be charged whenever possible and that appropriate support and treatment programs be targeted at children involved in prostitution.<sup>5</sup>

On February 1.1999, the Government of Alberta enacted the *Protection of Children Involved in Prostitution Act.* This law will allow for the protection of children under the age of 18 years who are at risk or involved in prostitution related activities. The law protects these children by providing protective services, such as taking them to a safe house for 72 hours to be assessed, and increases the prosecution of johns and pimps who are sexually abusing or exploiting children.

#### Sexual Offences defined

The term "sexual offence" encompasses a wide range of criminal acts in the *Criminal Code* of Canada. Such conduct ranges from unwanted sexual touching to sexual violence resulting in serious physical injury or disfigurement to the victim. It also includes special categories of offences designed to protect children from sexual abuse.

In this Juristat, sexual assault includes the following Criminal Code offences:

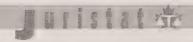
- (a) Sexual assault (level 1) involves minor physical injuries or no injuries to the victim. It carries a maximum sentence of 10 years imprisonment.
- (b) Sexual assault (level 2) involves sexual assault with a weapon, threats or causing bodily harm. It carries a maximum sentence of 14 years imprisonment.
- (c) Aggravated sexual assault (level 3) results in wounding, maining, disfiguring or endangering the life of the victim. The maximum sentence for this offence is life imprisonment.

In this Juristat, "other" sexual offences include a group of offences that are primarily meant to address incidents of sexual abuse directed at children. The Criminal Code offences that are included in this category are:

- (a) Sexual interference (Section 151) is the direct or indirect touching (for a sexual purpose) of a person under the age of 14 years using a part of the body or an object. It carries a maximum sentence of 10 years imprisonment.
- (b) Invitation to sexual touching (Section 152) is the inviting, counseling, or inciting of a person under the age of 14 years to touch (for a sexual purpose) the body of any person directly or indirectly with a part of the body or with an object. It carries a maximum sentence of 10 years imprisonment.
- (c) Sexual exploitation (Section 153) occurs when a person in a position of trust or authority towards a young person or a person with whom the young person is in a relationship of dependency, commits sexual interference or invitation to sexual touching. In this section "young person" refers to a person between 14 and 18 years of age. The offence carries a maximum sentence of 5 years imprisonment.
- (d) Incest (Section 155) occurs when an individual has sexual intercourse with a person that has a known defined blood relationship with them. It carries a maximum sentence of 14 years imprisonment.
- (e) Anal intercourse (Section 159) and Bestiality (Section 160) are also included in this category of offences. These offences may be directed at children, but not always. The maximum sentence for these offences is 10 years imprisonment.

Department of Justice "An Act to Amend the Criminal Code (Production of Records in Sexual Offence Proceedings)" Backgrounder, June 12, 1996.
 Ihid.

<sup>&</sup>lt;sup>5</sup> See "Children Involved in Prostitution", a Report by the (Alberta) Task Force on Children Involved in Prostitution, January, 1997.



#### Child Pornography on the Internet

Recent advances in technology have changed the accessibility to, and the nature of, all forms of pornography, including child pornography.

In Canada, all pornography involving children is illegal, regardless of the medium, and this is applicable to Internet child pornography. The *Criminal Code* (section 163.1) states that it is illegal to produce, publish, import, distribute, sell or possess child pornography.<sup>6</sup>

Unlike adult pornography, which is legal and openly accessible (if it does not fall within the definition of obscenity) for a fee on the World Wide Web, child pornography is secretive and often traded in specialized high tech chat groups. Many of these groups are relatively transient and can be difficult to trace and document. The falling cost of such technology as scanners and digital cameras facilitates the reproduction and dissemination of child pornography. This usually involves transferring existing photographs and videos to computer files. In some cases (e.g., R. v. Pecciarich, 1995) pseudo-photographs are created in which normal photographs of children are digitally modified so that they appear to be nude or in sexual acts. New technologies, such as live, televised video conferencing, feed images and sound directly into a personal computer via the Internet, allowing the viewer to participate in the real-time sexual abuse of a child instantaneously and according to his or her instructions. There is also, on Web sites, simulated "teen" pornography involving models who only appear to be younger than 18 years old.

In an effort to stop child pornography on the Internet, police typically resort to undercover methods of surveillance or sting operations, posing as traders or customers. A major problem is the ease with which this material can be transferred across borders, and the fact that it may be legal in the country where it originated.

### **Prevalence of Sexual Offending**

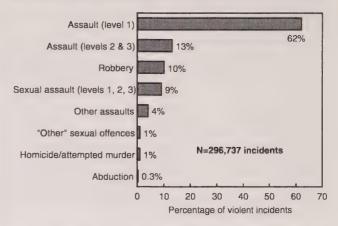
### Sexual offences represent a small proportion of police-reported crime

A relatively small percentage of all crimes that are reported to the police each year are of a sexual nature. Police-reported crime statistics from 1997 indicate that sexual offences accounted for about 1% of the total number of criminal incidents reported to the police, unchanged for the last five years. Additionally, these offences made up 10% of the total number of violent? crimes brought to the attention of the police, with sexual assaults accounting for 9% and "other" sexual offences 1% (see Figure 1). The figure for sexual offences as a proportion of violent offences has fluctuated slightly over the last 5 years, from a high of 13% in 1993 to 10% in 1997.

In 1997, there were 30,735 sexual offence incidents reported to police in Canada. Of these, sexual assault level 1 (the category of least physical injury to the victim) accounted for the largest proportion (85%) of incidents (see Figure 2). Sexual assault levels 2 and 3 accounted for an additional 3% (877 incidents). "Other" sexual offences, which are primarily offences against children, accounted for 12% (3,672 incidents).

Figure 1

### Distribution of Reported Violent Offences, 1997

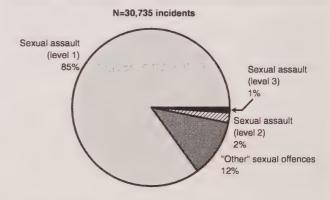


Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Figure 2

### Distribution of Reported Sexual Offences, 1997

(% of sexual offence incidents)



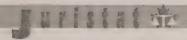
**Source:** Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

B It is not possible with this data source (the Uniform Crime Reporting Survey) to provide separate figures for the different types of "other" sexual offences.

<sup>6</sup> On January 15, 1999, a decision by the British Columbia Supreme Court struck down the provision of the Criminal Code pertaining to simple

possession of child pomography. This decision is being appealed.

Violent offences include any offence that involves the threat or use of violence against a person. Sexual assault and "other" sexual offences, as well as homicide, assault, robbery and abduction are violent offences. In this report, when comparisons are made between sexual offences and violent offences, the data for violent offences include sexual offences.

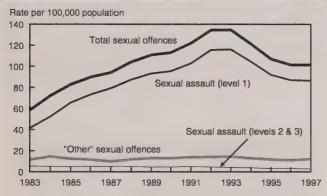


#### Recent trend in sexual offences is downward

After the passage of the reform legislation in 1983, the rate of total sexual offences reported to the police began to increase (see Figure 3). The increase continued until 1993, at which point it peaked at 135 incidents per 100,000 population. The rate declined steadily until 1996. In 1997, the rate was 101 incidents per 100,000 population, relatively unchanged from the previous year. While the 1997 rate was 25% below its 1993 peak, it was still 8% higher than a decade before and 74% higher than in 1983. The trend in the rate of sexual offences has followed a similar pattern to the overall trend for violent offences.

Figure 3

### Trend in the Rate of Reported Sexual Offences, 1983 to 1997



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics. Statistics Canada.

The decline in the overall rate of sexual offences is reflected in all three categories of sexual assault. (see Table 1 and Figure 3). In 1997, the rate for sexual assault level 1 was 86 incidents per

100,000 population. This was down slightly (-1%) from the previous year and a total of 26% from the peak figure in 1993. The rate of "other" sexual offences increased 9% in 1997 (from 11 to 12 incidents per 100,000), but apart from that increase, the rate had been falling since 1994. Compared to 1993, the rate for "other" sexual offences was down 16% in 1997.

Rates for sexual assault levels 2 and 3 are relatively low, so small changes in the rates can translate into large changes in percentage terms. Over the last 5 years, the rate for sexual assault level 2 has fallen continuously from 3.3 incidents per 100,000 in 1992 to 2.0 in 1997, a decline of 39%. Over the same period, the rate of sexual assault level 3 has fallen from 1.4 incidents per 100,000 to 0.9, a decline of 36%.

### Rates in the provinces/territories vary widely

There is considerable regional variation in the distribution of police-recorded sexual offences across Canada. In 1997, as with other violent crimes, the rate of sexual offences was highest in both territories (see Figure 4). Among the provinces, Saskatchewan, Newfoundland and Manitoba had the highest rates. The lowest rates were reported in Quebec and Ontario. In fact, Quebec and Ontario were the only two provinces with sexual offence rates below the national average, a situation that has existed for the last 5 years.

Five jurisdictions (Newfoundland, Nova Scotia, Saskatchewan, Yukon and the Northwest Territories) reported an increase in the sexual offence rate between 1996 and 1997, with the largest being in Yukon (42%). Rates in Quebec and British Columbia remained the same, while decreases were reported in the remaining five provinces. Prince Edward Island registered the largest decrease (-10%).

Table 1

### Sexual Offence Incidents Reported to Police, 1992-1997

|  | 199                                     | 2                                    | 1993                                    |                                      | 1994   |                                      | 1995                                    | 1995                                | 1996                                    |                                     | 1997                                    |                                     |
|--|---|--------------------------------------|---|--------------------------------------|--|--------------------------------------|---|-------------------------------------|---|-------------------------------------|---|-------------------------------------|
|  | Number                                  | Rate*                                | Number                                  | Rate*                                | Number   | Rate*                                | Number                                  | Rate*                               | Number                                  | Rate*                               | Number                                  | Rate*                               |
| Population ('000)  | 28,532.5                                |                                      | 28,895.7                                |                                      | 29,264.7                                       |                                      | 29,616.5                                |                                     | 29,959.5                                |                                     | 30,285.8                                |                                     |
| Total Sexual Offences<br>Sexual assault level 1<br>Sexual assault level 2<br>Sexual assault level 3<br>"Other" sexual offences | 38,395<br>33,022<br>935<br>398<br>4,040 | 134.6<br>115.7<br>3.3<br>1.4<br>14.2 | 38,925<br>33,536<br>860<br>358<br>4,171 | 134.7<br>116.1<br>3.0<br>1.2<br>14.4 | <b>35,524</b><br>30,572<br>769<br>365<br>3,818 | 121.4<br>104.5<br>2.6<br>1.2<br>13.0 | 31,728<br>27,278<br>659<br>297<br>3,494 | 107.1<br>92.1<br>2.2<br>1.0<br>11.8 | 30,369<br>26,076<br>653<br>297<br>3,343 | 101.4<br>87.0<br>2.2<br>1.0<br>11.2 | 30,735<br>26,186<br>605<br>272<br>3,672 | 101.5<br>86.5<br>2.0<br>0.9<br>12.1 |
| Total Violent Offences   | 307,512                                 | 1077.8                               | 310,201                                 | 1073.5                               | 303,745  | 1037.9                               | 295,702                                 | 998.4                               | 296,746                                 | 990.5                               | 296,737                                 | 979.8                               |

<sup>\*</sup> Rates are calculated based on 100,000 population. The population estimates are provided by Statistics Canada, Census and Demographic Statistics, Demography Division. Populations as of July 1st: final postcensal estimates for 1995; updated postcensal estimates for 1996 and 1997.

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

<sup>9</sup> The 1983 reform legislation had an impact on the trend in violent offences as well. That legislation redefined the offence of assault, making it easier for police to lay charges. In addition, over the next few years, directives were issued to police, making it mandatory to lay charges in cases of spousal assault. These changes led to increased rates of assault, one of the main contributors to the violent offence rate.

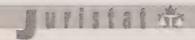
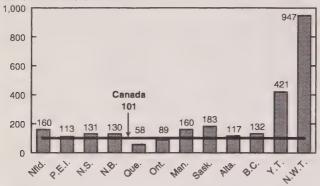


Figure 4

## Rates of Reported Sexual Offences Across Canada, 1997

Rate per 100,000 population



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

### **Characteristics of Accused Sex Offenders**

### Majority of accused are males and over 30

According to 1997 data from a sample of police departments, 98% of accused sex offenders were male. 10 This was considerably higher than the overall figure for violent offences, which was 85%. The percentage of male accused was slightly lower for "other" sexual offences (95%) in comparison to sexual assault offences (98%).

In 1997, 81% of accused persons in sexual offence cases were adults 18 years of age or older. This was slightly higher than the representation of adults in the population 18 years and older (76%). The age distribution was similar for both sexual assault and "other" sexual offences. Overall, 37% of accused were between 18 and 34 years of age, 21% were between 35 and 44 and 23% were 45 or over (see Table 2). Sex offenders tended to be older than violent offenders overall. Of the persons accused of total violent offences, 11 young adults (18 to 34) made up a higher percentage (48%) of cases than for sex offences; the 35-to 44-year-old age group accounted for the same percentage of cases (21%); and the 45 and over age group accounted for fewer cases (12%). The median age 12 of accused sex offenders was 32 years old compared to 29 for all violent offenders.

An examination of the percentage distribution of accused sex offenders by individual year of age shows that in 1997, the peak age was 13 years old, with 3.8% of all accused being that age (see Figure 5). This percentage dropped sharply throughout the teen years, reaching a low of 1.6% for 21-year-olds. There was then an increase through the early adult years, with a second peak at 36 years of age at 3.0% of accused sex offenders. Following this, there was a gradual decline in the proportion of accused for each year of age. The comparable distribution for all violent offenders presents a different picture. The first peak occurred later, at age 16 (3.8% of accused). There was then a less precipitous drop to a low that was reached later, at the age

of 24 (2.5% of accused). Similar to sex offenders, a second peak was reached at age 35, but there was a much steeper decline from then on.

Table 2

### Accused Sex Offenders by Age, 1997

| Age of Accused | Sexual<br>Offences | Violent<br>Offences |
|----------------|--------------------|---------------------|
| (years)        | %                  | %                   |
| 0-11           | 1                  | 1                   |
| 12-17          | 18                 | 18                  |
| 18-24          | 13                 | 20                  |
| 25-34          | 24                 | 28                  |
| 35-44          | 21                 | 21                  |
| 45-54          | 13                 | 8                   |
| 55 +           | 10                 | 4                   |
| Total Accused  | 100                | 100                 |
|                |                    |                     |

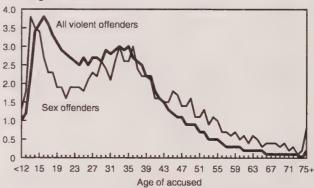
Note: Figures may not add due to rounding.

Source: Revised Uniform Crime Reporting Survey (UCRII), Canadian Centre for Justice Statistics, Statistics Canada. (The data are from a non-random sample of 179 police agencies, representing 48% of the national volume of crime.)

Figure 5

### Age of Accused Sex and All Violent Offenders, 1

Percentage of accused

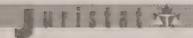


<sup>1</sup> Includes accused offenders of sexual assault and "other" sexual offences. **Source:** Revised Uniform Crime Reporting Survey (UCRII), Canadian
Centre for Justice Statistics, Statistics Canada. (The data are from a non-random sample of 179 police agencies, representing 48% of the national volume of crime.)

Information in this section on characteristics of accused sex offenders comes from the Revised Uniform Crime Reporting Survey. This survey collects detailed information on criminal incidents reported to a sample of police departments. The data are not nationally representative. In 1997, data were collected from 179 police departments in 6 provinces (New Brunswick, Quebec, Ontario, Saskatchewan, Alberta and British Columbia) and represented about 48% of the national volume of crime.

<sup>11</sup> The reader is reminded that the data for violent offences include sexual offences.

<sup>12</sup> The median age is the middle value. In other words, half of the accused are this age or lower and the other half are this age or higher.



### Sentencing of Adult Sex Offenders

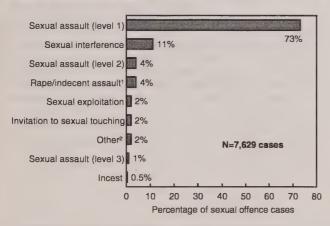
A small proportion of all cases heard in adult criminal courts involve sexual offences. In 1997-98, there were 7,629 sexual offence cases, accounting for 9% of all violent offence cases (83,651) and 2% of all *Criminal Code* cases (366,053) heard in adult provincial/territorial courts in nine jurisdictions. These proportions are about the same as those for incidents reported to the police.

As would be expected given its prevalence in police-reported data, sexual assault level 1 is the most common sexual offence heard in adult courts. In 1997-98, sexual assault level 1 accounted for 73% of the sexual offence cases heard, while sexual assault level 2 and level 3 accounted for 4% and 1%, respectively (see Figure 6).

"Other" sexual offences accounted for close to one-fifth (17%) of the total sexual offence caseload. Sexual interference was the most common, representing 61% of "other" sexual offence cases and 11% of all sexual offence cases. A Rape/indecent assault cases represented 4% of cases in 1997-98, indicating that these incidents took place prior to the abolition of these offences in 1983.

Figure 6

### Distribution of Sexual Offence Cases in Adult Courts, 1997-98



- <sup>1</sup> Incidents occurring before 1983 are processed under the previous legislation.
- <sup>2</sup> Includes anal intercourse and bestiality.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics. Statistics Canada.

Many adult sex offence cases are transferred to superior court

In 1997-98, 20% of sexual offence cases heard in provincial/ territorial courts were transferred to superior court, where more serious cases are usually heard. For the cases that remained in provincial/territorial court, 45% resulted in a conviction and 6% resulted in acquittal. (Most of the other cases were stayed/ withdrawn<sup>15</sup>). In comparison to sexual offence cases, total violent offence cases had a much smaller proportion of cases transferred to superior court (4%). For the cases that remained in lower court, the conviction rate for all violent offences was slightly higher (52%), while the proportion of cases resulting in acquittal was about the same (4%).

The majority of convicted adult sex offenders are sentenced to prison

Convicted sex offenders receive harsher sentences than total violent offenders. <sup>16</sup> In 1997-98, more than half (57%) of sex offenders convicted in adult provincial/territorial courts were given a prison sentence as their most serious sentence (see Figure 7). <sup>17</sup> Probation was the most serious sentence in 39% of cases. Overall, violent offenders were more likely to receive probation as their most serious sentence (51% of cases), with prison being the most serious sentence in 38% of cases. Violent offenders were also more likely to have a fine or "other" disposition (such as restitution, or conditional discharge) as the most serious sentence.

Not only were sex offenders more likely than violent offenders overall to be incarcerated, they were also more likely to be sent to prison for longer periods of time. In 1997-98, of the 1,533 sexual offence cases resulting in prison, <sup>18</sup> just less than half (45%) of the terms were for 6 months or less, while 37% were for more than 1 year (see Table 3). By comparison, 76% of violent offence cases had prison terms of 6 months or less, while only 14% had terms exceeding 1 year. Violent offence cases had a median prison term of 3 months. The equivalent figures were 10 months for sexual assault cases and 8 months for "other" sexual offence cases.

Probation terms for sex offenders were also long in comparison to all violent offenders. In 1997-98, for sex offenders that received probation, 72% of terms exceeded 1 year, while 29% exceeded 2 years. For violent offenders, only 47% of probation terms exceeded 1 year, while 9% were longer than 2 years. Fewer than 4% of probation terms for sex offenders were for 6 months or less. The median probation term for both sexual assault and "other" sexual offence cases was 2 years, twice the length of median probation for violent offence cases.

With the Adult Criminal Court Survey it is possible to get a breakdown of the "other" sexual offence category. This is not possible with the police-reported data from the UCR survey.

When a case is stayed/withdrawn, it indicates the court has halted criminal proceedings against the accused. This can occur for a variety of reasons, for example a plea bargain. An accused may plead guilty to one charge in exchange for having several other charges withdrawn.

16 It should be noted that because assault level 1, the least serious form of assault, accounts for the majority of violent offence cases (58% of adult court cases in 1997/98), it has a significant impact on sentencing patterns for violent offences.

17 Sentences are ordered from most to least serious as follows: prison, probation, fine, other.

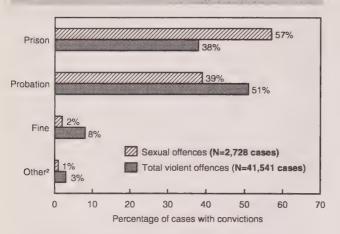
18 There were another 21 cases with a prison term of unknown length.

<sup>&</sup>lt;sup>13</sup> Data on adult courts come from the Adult Criminal Court Survey. In 1997-98, this survey collected information on cases disposed in the provincial/territorial courts of Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon and the Northwest Territories. These jurisdictions represent about 80% of the national caseload in provincial/territorial courts. Sentencing information does not include cases that are transferred to superior courts. The cases heard by superior courts tend to be the most serious.

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Figure 7

### Sentencing of Adult Sex Offenders,<sup>1</sup> 1997-98



- 1 The figures only include the most serious sentence in the case.
- <sup>2</sup> Other includes restitution, absolute and conditional discharges and suspended sentences.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

### **Sentencing of Young Offenders**

The proportion of youth court cases involving sexual offences is comparable to adult court cases. <sup>19</sup> In 1996-97, there were 1,746 sexual offence cases, accounting for 2% of the total number of cases, and 8% of the violent crime cases heard in youth courts across Canada.

Sexual assault level 1, the least serious form, is the most common sexual offence heard in youth courts. In 1996-97, it accounted for 80% of the sexual offence cases, a higher proportion than for adults (73%). The proportions of youth court cases for other offence types were: "other" sexual offences (14%),

rape/indecent assault (3%), sexual assault level 2 (3%), and sexual assault level 3 (0.1%). All these figures were lower than comparable figures for adult court cases.

### The majority of youth court cases result in a conviction

In 1996-97, more than half (56%) of sexual offence cases in youth courts resulted in a finding of guilt. Another 37% of cases were stayed, withdrawn or dismissed, while 6% of cases resulted in acquittal. There were 10 cases transferred to adult court, a small proportion of the total sexual offence caseload (1%), but significant in terms of the total number of transfers (11% of all youth court cases transferred). The conviction rate was low in comparison to the figure for all violent offences. In 1996-97, 66% of violent offence cases resulted in a guilty finding, 31% were stayed, withdrawn or dismissed and 3% resulted in acquittal. The percentage of convictions in sex offence cases in youth courts was high compared to adult courts (45% in 1997-98).

### Probation commonly ordered for young sex offenders

Probation was the usual disposition imposed by youth court judges in convictions for sexual offences. It was the most serious sentence ordered in just under two-thirds (65%) of convictions in 1996-97 (see Figure 8).<sup>20</sup> Custody was ordered in a total of 32% of convictions (17% open and 15% secure custody). This distribution of sentences did not differ significantly from that of violent offence cases overall.

In 1996-97, median sentence lengths given to youths for sexual assault level 1 were 6 months for secure custody, 5 months for open custody and 18 months for probation. Total violent offences, in comparison, had shorter median sentence lengths of 2 months for secure custody, 2 months for open custody and 12 months for probation. (The number of cases in the other sex offence categories is too small to examine sentence lengths in any detail.)

Dispositions are ordered from most to least serious as follows: secure custody, open custody, probation, and other.

Table 3

### Prison Terms for Adult Sexual Offenders, 1997-98

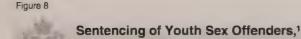
| Offence  | 1 month<br>or less   | More than 1 to 6 months | More than 6<br>to 12 months | More than 1<br>to less than<br>2 years | 2 years<br>and over   | Total             |  |
|--|----------------------|-------------------------|-----------------------------|--|-----------------------|-------------------|--|
|  | % of prison terms    |                         |                             |  |                       |                   |  |
| Total Sexual Offences<br>Sexual assault<br>"Other" sexual offences | <b>10</b><br>10<br>9 | <b>35</b><br>33<br>40   | <b>18</b><br>18<br>18       | 17<br>18<br>17                         | <b>19</b><br>21<br>16 | 100<br>100<br>100 |  |
| Total Violent Offences   | 33                   | 43                      | 9                           | 6                                      | 8                     | 100               |  |

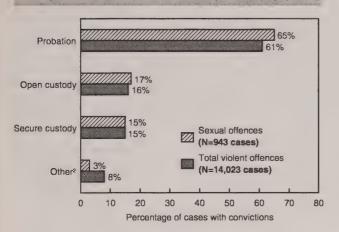
Note: Figures may not add due to rounding.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

<sup>&</sup>lt;sup>19</sup> Information on youth court cases comes from the Youth Court Survey, which has full national coverage. Youth refers to any person between the ages of 12 and 17 at the time of the offence. Unlike the Adult Criminal Court Survey, data for 1997-98 were not yet available.

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1996-97

- <sup>1</sup> The figures only include the most serious sentence in the case. Youth refers to persons aged 12-17 years.
- Other includes community service orders, fines, and absolute discharges.
  Source: Youth Court Survey, Canadian Centre for Justice Statistics,
  Statistics Canada.

### **Incarcerated Sex Offenders**

Police and courts surveys provide few details on the characteristics of sex offenders, apart from their age and sex. However on October 5, 1996, the Canadian Centre for Justice Statistics, in collaboration with federal and provincial/territorial corrections authorities, conducted a census of inmates in all adult correctional facilities in Canada on that day.<sup>21</sup> This "snapshot" does not provide information on all convicted sex offenders because, among other things, not all sex offenders are sentenced to prison. However, the snapshot does provide additional information on adult sex offenders who were incarcerated on the day the census was taken.

On snapshot day, sex offenders formed 6% of the inmate population on-register<sup>22</sup> in provincial/territorial facilities, which in general, receive those inmates with less serious sentences (maximum of two years less a day). In federal facilities, which house more serious offenders (sentences of 2 years or longer), sex offenders accounted for more than twice that amount (14% of those incarcerated). In all, there were 1,471 sex offenders in provincial/territorial facilities and 1,872 in federal facilities.

#### Incarcerated sex offenders older than other inmates

Incarcerated sex offenders tended to be older than was generally the case for inmates incarcerated for violent offences. The median age of sex offenders in provincial/territorial institutions was 35 years old, four years older than that for all violent offenders. The difference was even greater in federal institutions, where the median age was 41 for sex offenders and 35 for all violent offenders. Sex offenders accounted for a large proportion of the inmate population over 55 years of age. Among provincial/territorial inmates who were 55 years of age or older, 23% were sex offenders. In addition, 45% of federal inmates 55 years or older were sex offenders.

Some additional inmate characteristics are presented in Table 4. Not surprisingly, the inmate population differed considerably from the general population. However, apart from being older, sex offenders differed very little from violent offenders in general. Nearly all sex offenders were male (99%). This compared to 97% of all violent inmates. Aboriginal persons accounted for 23% of incarcerated sex offenders and 19% of incarcerated violent offenders, compared with 2% of the Canadian adult population (18 years and over). Just over one-third of sex offenders and total violent offenders were married or living common law (at the time of admission), compared with about two-thirds of the Canadian adult population.

Both sex offender and violent offender inmates were less educated than the average Canadian. In fact, these two inmate groups had more than twice the national rate (19%) of those with a grade 9 education or less. The problem was particularly apparent for sex offenders in federal facilities (48% with grade 9 or less) as compared to their counterparts in provincial/territorial facilities (28%).

Among the inmate population, unemployment was also high by national standards, although not quite as high for sex offenders. Whereas 41% of sex offender and 50% of violent offender inmates were unemployed at the time of their admission to prison, 10% of the adult population in Canada was unemployed at the time of the 1996 Census. Sex offenders in federal facilities were actually less likely to be unemployed (31% unemployed) than those in provincial/territorial facilities (50% unemployed).

Table 4

#### Selected Inmate Characteristics

|   | Adult<br>Population<br>in Canada <sup>1</sup> | Sex<br>Offenders | Violent<br>Offenders | Total<br>Offenders |
|---|---|------------------|----------------------|--------------------|
|   | %   | %                | %                    | %                  |
| Male Aboriginal <sup>2</sup> Married <sup>3</sup> Education Grade 9 | 49<br>2<br>63                                 | 99<br>23<br>37   | 97<br>19<br>35       | 95<br>17<br>31     |
| or less <sup>4</sup>  | 19  | 41               | 40                   | 37                 |
| Unemployed⁵   | 10  | 41               | 50                   | 52                 |
| Number of inmates   |   | 3,343            | 17,482               | 37,541             |

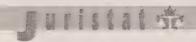
#### Notes:

- . Based on information from the 1996 Census on persons 18 years and older.
- 2. Data are missing for 185 (<1%) offenders.
- 3. Includes common law. Data are missing for 5,166 (14%) offenders.
- Data are not available for B.C. and Yukon (2,682), and are missing for 9,954 (29%) of the remaining total.
- Data are not available for Quebec and Ontario (14,182), and are missing for 11,500 (50%) of the remaining total.

Source: One-Day Snapshot of Immates in Canada's Adult Correctional Facilities Survey (1996), Canadian Centre for Justice Statistics, Statistics Canada.

<sup>&</sup>lt;sup>21</sup> The data describe all inmates who were "on-register" on census day. For more details see "A One-Day Snapshot of Inmates in Canada's Adult Correctional Facilities" by David Robinson, Frank J. Porporino, William A. Millson, Shelley Trevethan and Barry MacKillop in Juristat (Catalogue 85-002-XIE, Vol.18 No.8).

<sup>&</sup>quot;On-register" refers to the number of inmates who have been placed in a facility to serve their sentence. Some inmates may be away temporarily from a facility, for example, due to court appearances or temporary absences.



Nine provinces and territories were able to provide criminal history information for some of the inmates in their facilities. Seventy-three percent of sex offender inmates had at least one other prior adult conviction for some type of offence. This was slightly lower than the figure for total violent offenders (77%). Sex offender inmates were also less likely than violent offenders overall to have had a prior term of incarceration in a provincial/territorial facility (67% of sex offenders compared to 72% of violent offenders).

#### Needs of sex offenders

The snapshot collected information on seven "need factors": employment problems, marital/family problems, social interaction needs (criminal or negative social associations), attitude (e.g., unmotivated to change, pro-criminal values), community functioning needs (e.g., lack of skills to manage life in the community), and personal/emotional problems (e.g., mental ability, sexual behaviour, cognitive skills)and substance abuse. Needs factors can be important because if not addressed, they can contribute to further criminal activity. Federal inmates and provincial/territorial inmates from seven jurisdictions<sup>24</sup> were

assessed as to their level of need for each of the seven need factors. (See textbox Scoring for Needs Assessment of Inmates).

The results (see Table 5) indicate that sex offenders tend to have lower needs levels than violent offenders overall. For example, for the employment factor, 38% of violent offenders in federal facilities had high need, compared to 22% of sex offenders. Violent offenders also had higher needs in the areas of social interaction and substance abuse. Sex offenders had higher needs when it came to personal/emotional problems, and for federal inmates only, marital/family relationships. Overall, the more serious sex offenders housed in federal facilities had higher levels of need than those in provincial/territorial institutions.

Table 5

### **Distribution of Assessed Needs for Inmates**

|   | Level of Need (% of inmates) |                      |                  |                      |                  |                      |  |  |
|---|------------------------------|----------------------|------------------|----------------------|------------------|----------------------|--|--|
| Type of Need  | N                            | None                 |                  |                      | High             |                      |  |  |
|   | Sex<br>Offenders             | Violent<br>Offenders | Sex<br>Offenders | Violent<br>Offenders | Sex<br>Offenders | Violent<br>Offenders |  |  |
| Employment  |                              |                      |                  |                      |                  |                      |  |  |
| provincial/territorial                                  | 30                           | 23                   | 44               | 49                   | 25               | 28                   |  |  |
| federal   | 17                           | 23<br>9              | 60               | 54                   | 22               | 38                   |  |  |
| Marital/Family  |                              |                      |                  |                      |                  |                      |  |  |
| provincial/territorial                                  | 11                           | 8                    | 61               | 60                   | 29               | 32                   |  |  |
| federal   | 5                            | 7                    | 50               | 56                   | 45               | 37                   |  |  |
| Social Interaction                                      |                              |                      |                  |                      |                  |                      |  |  |
| provincial/territorial                                  | 16                           | 10                   | 71               | 68                   | 13               | 22                   |  |  |
| federal   | 22                           | 9                    | 68               | 57                   | 10               | 33                   |  |  |
| Attitude  |                              |                      |                  |                      |                  |                      |  |  |
| provincial/territorial                                  | 12                           | 9                    | 63               | 73                   | 25               | 17                   |  |  |
| federal   | 9                            | 7                    | 56               | 52                   | 36               | 40                   |  |  |
| Community Functioning                                   | 45                           | 44                   |                  | 70                   | 49               | 40                   |  |  |
| provincial/territorial<br>federal                       | . 15<br>. 11                 | 11<br>6              | 68<br>74         | 76<br>69             | 17<br>15         | 13<br>25             |  |  |
| Personal/Emotional                                      | • 11                         | р                    | 74               | 69                   | 15               | 25                   |  |  |
| provincial/territorial                                  | 17                           | 20                   | 43               | 52                   | 40               | 28                   |  |  |
|   | 17                           |                      | 19               |                      |                  | 74                   |  |  |
|   | '                            | 7                    | 12               | 22                   | 07               | 14                   |  |  |
|   | 33                           | 20                   | 30               | 40                   | 20               | 41                   |  |  |
|   | 37                           | 22                   | 20               |                      |                  | 58                   |  |  |
| federal  Substance Abuse provincial/territorial federal | 1<br>33<br>37                | 4<br>20<br>22        | 12<br>39<br>20   | 22<br>40<br>20       | 87<br>29<br>44   |                      |  |  |

#### Notes:

<sup>&</sup>lt;sup>23</sup> Saskatchewan, Alberta, British Columbia and Correctional Service Canada (federal facilities) could not provide any criminal history. Ontario could not provide information on previous convictions. For those jurisdictions that could provide criminal history, there were 671 (8%) missing values for previous convictions and for previous incarceration there were 572 (3%) missing values.

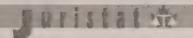
<sup>&</sup>lt;sup>24</sup> The seven jurisdictions were: Newfoundland, P.E.I., Nova Scotia, New Brunswick, Manitoba, Yukon and the Northwest Territories.

<sup>1.</sup> Provincial/territorial figures come from 7 jurisdictions: Nfld, PEI, NS, NB, Man, Yukon and NWT.

<sup>2.</sup> The figures on provincial/territorial inmates are based on 201 sex offenders and 841 violent offenders.

<sup>3.</sup> The figures on federal inmates are based on 1,724 sex offenders and 8,991 violent offenders.

Source: One-Day Snapshot of Inmates in Canada's Adult Correctional Facilities Survey (1996), Canadian Centre for Justice Statistics, Statistics Canada.



| ~                        |  | Level of Need   |   |
|--------------------------|--|---|---|
| Type of Need             | None   | Low   | High  |
| Employment               | stable pattern of employment                                     | no current difficulties <u>or</u> employment situation causing minor adjustment problems  | employment situation causing major adjustment problems                          |
| Marital/Family           | pattern of stable and supportive relationships                   | no current difficulties or occasional instability in relationships  | very unstable pattern of relationships  |
| Social<br>Interaction    | pattern of non-criminal and/or positive associations             | mostly non-criminal and/or positive associations or some criminal and/or negative associations  | mostly criminal and/or negative associations                                    |
| Attitude                 | actively involved and responding consistently well to assistance | motivated to change and has attitudes receptive to assistance or recognizes problem areas but has attitudes not receptive to assistance | unable to recognize problem areas and has attitudes not receptive to assistance |
| Community<br>Functioning | pattern of satisfactory adjustment                               | no current difficulties or deficient skills limit, but don't prohibit independent functioning   | deficient skills severely limit independent functioning                         |
| Personal/<br>Emotional   | no current difficulties  | personal/emotional problems indicate some need for assistance   | personal/emotional problems indicate significant need for assistance            |
| Substance<br>Abuse       | no current difficulties  | some substance usage causing moderate adjustment problems   | frequent or uncontrolled usage causing serious adjustment problems              |

### **Victims of Sexual Offences**

### Most victims are children and youths

According to police statistics, children and youths are targeted in the majority of sexual offences. Sixty-two percent of all victims of sexual offences reported to a sample of police departments in 1997 were under 18 years of age; 30% were children under 12, while 32% were youths between 12 and 17 years of age (see Table 6). The remaining 38% of victims were adults. These findings are quite different from violent offences in general, where 7% of victims were children, 17% were youths and 76% were adults.

Table 6

### Victims of Sexual Offences by Age and Sex, 1997

| Sex of Victim           | Children<br>under 12 | Youths<br>12-17      | Adults<br>18+        | Total           |
|-------------------------|----------------------|----------------------|----------------------|-----------------|
| %                       | %                    | %                    | %                    |                 |
| Male<br>Female<br>Total | 9<br>20<br><b>30</b> | 5<br>27<br><b>32</b> | 3<br>35<br><b>38</b> | 18<br>82<br>100 |

Note: Figures may not add due to rounding.

Source: Revised Uniform Crime Reporting Survey (UCRII), Canadian Centre for Justice Statistics, Statistics Canada. (The data are from a non-random sample of 179 police agencies, representing 48% of the national volume of crime.)

Unlike violent offences where half of the victims were female, 82% of victims of sexual offences in 1997 were female. Relative to males, females were more apt to be victims of sexual assault levels 2 and 3 and less apt to be victims of "other" sexual assaults. Although only 18% of victims were males, males were targeted in a relatively high proportion of cases involving victims under 18 years old. In incidents involving the most vulnerable age

group – children under 12 years of age – 31% of victims were male. By contrast 16% of youth victims (12-17 years) were male (see Figure 9) and only 9% of adult victims were male. Stated somewhat differently, 80% of male sex offence victims were under 18, compared with 58% of female victims.

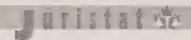
Figure 9

### Male and Female Victims of Sex Offences, by Age Group, 1997

Source: Revised Uniform Crime Reporting Survey (UCRII), Canadian
Centre for Justice Statistics, Statistics Canada. (The data are from
a non-random sample of 179 police agencies, representing 48% of
the national volume of crime.)

Age of victim

Most victims of a sexual offence were victims of sexual assault level 1. However, in relative terms, adults were more likely to be victims of sexual assault levels 2 and 3, while youths and children were more likely to be victims of sexual assault level 1 and "other" sexual offences. In particular, 56% of victims of sexual assault level 3 were adults; compared to 69% of sexual assault level 2; 41% of sexual assault level 1; and 18% of "other" sexual offences.



### Sex offenders are usually a friend or acquaintance of the victim

Victims of sexual offences usually know the perpetrator. In 1997, only 23% of victims were strangers to the accused sex offender (see Table 7). Friends and acquaintances were by far the largest relationship category of offenders in cases involving both males and females, and children/youths and adults. Overall, for 50% of victims, the accused was a friend or an acquaintance. For just over one-quarter (28%) of victims, the perpetrator was a family member. However, the perpetrator was more likely to be a family member when the victims were children and youths (34% victimized by family) as compared with adult victims, 19% of whom were victimized by a family member.

Homes are the location that present the greatest risk for victims of sexual offences. In 1997, 67% of victims were attacked in a home, followed by public areas at 17% and commercial/public institutions at 16%.<sup>25</sup> For violent offences in general, victims were less likely than sexual offence victims to be victimized in a home (47%), but more likely to be victimized in a public area (26%) or commercial/public institution (27%).

### Age, sex and lifestyle are risk factors

Victimization surveys, which go directly to samples of the population for information about the experiences of the public with certain crimes, offer additional information about victims of sexual offences. Whereas police-reported statistics consist of only those incidents that become known to the police, victimization surveys capture information on both reported and unreported incidents. Statistics Canada's 1993 survey on Violence Against Women (VAWS) is an example of such a survey. It interviewed 12,300 women by telephone about their experiences of sexual and physical assault. Approximately 39% of women reported at least one incident of sexual assault since the age of 16; 5% in the one-year period preceding the survey. (This survey did not question respondents about experiences during childhood).

One advantage of victimization surveys lies in their ability to access factors that are associated with the risk of victimization. According to both the VAWS and Statistics Canada's 1993 General Social Survey (GSS), among adults, rates of sexual assault are highest for young women. The VAWS found that the one-year rate of sexual assault was 18% for young women aged 18 to 24 years of age and dropped off sharply for older women, to only 1% of those aged 45 and over. Similarly, the GSS found that the one-year rate of sexual assault was highest for young adults 15 to 24 years of age, followed by persons aged 25 to 44.

Rates of sexual assault are also linked to other personal characteristics, such as marital status, and lifestyle. For example, the 1993 GSS found that the rates of victimization for single and separated/divorced women were about six times as high as the rate for women who were married/living common law. Rates of victimization were also higher for women who were working or attending school and for those who had an active lifestyle outside the home in the evenings. These are consistent indicators of "exposure" to risk across a variety of violent crime categories.

### Some victims delay reporting

Victimization surveys report that as many as 90% of sexual assaults go unreported to the police. Additionally, incidents that are reported to police are not always reported immediately after the incident. According to data from a sample of police forces (UCR II), 7% of sexual offence incidents reported to police in 1997 occurred prior to 1993. In these older incidents, the proportion of male victims was greater than female victims. Of the incidents reported in 1997, 12% of all male victims were assaulted prior to 1993 compared to 6% of all female victims. Children and youths were also more likely to have been the victims in these older incidents. For the offences that took place prior to 1993, 88% of victims were children or youths (under 18) at the time of the incident. For the more recent incidents, children and youths made up 62% of victims.

Table 7

### Victim-accused relationship by age and sex of victims, 1997

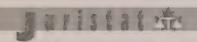
|                                      | Age and Sex of Victim |                     |          |          |            |          |          |
|--------------------------------------|-----------------------|---------------------|----------|----------|------------|----------|----------|
| Relationship of<br>Accused to Victim | Ch                    | Children and Youths |          |          | Adults 18+ |          |          |
|                                      | Female                | Male                | Total    | Female   | Male       | Total    | Victims  |
|                                      | %                     | %                   | %        | %        | %          | %        | %        |
| Family (total) Spouse/ex-spouse      | 35<br>_               | 31<br>_             | 34       | 19<br>11 | 15<br>2    | 19<br>10 | 28       |
| Parent<br>Other family               | 15<br>19              | 13<br>17            | 15<br>18 | 3        | 5<br>7     | 3        | 10<br>14 |
| Friend or acquaintance<br>Stranger   | 48<br>17              | 56<br>13            | 50<br>16 | 47<br>34 | 62<br>23   | 49<br>33 | 50<br>23 |
| Total                                | 100                   | 100                 | 100      | 100      | 100        | 100      | 100      |

Nil or zero.

<sup>&</sup>lt;sup>25</sup> Public areas include parking lots, streets, open areas and public transportation. Commercial and public institutions include businesses, restaurants, schools and hospitals.

Note: Figures may not add due to rounding.

Source: Revised Uniform Crime Reporting Survey (UCRII), Canadian Centre for Justice Statistics, Statistics Canada. (The data are from a non-random sample of 179 police agencies, representing 48% of the national volume of crime.)



#### Protecting Communities

The protection of children and other vulnerable groups from sex offenders is a public safety issue for governments as well as communities. Currently, discussion centres on a number of measures that are designed to reduce the risk that sex offenders will re-offend once released from the control of the criminal justice system. These include the possibility of a national registry of pedophiles, a national screening program, and public notification of the release of sex offenders.

In 1994, a national system was implemented to help organizations screen out child sexual abusers applying for work with children. It is based on the Canadian Police Information Centre (CPIC) operated by the RCMP on behalf of all police services, to provide access to the criminal history records of all offenders reported by police. The system is seen by some to be inadequate because it does not require registration of the offender's address following expiration of the sentence, and it is not available to the public. Concerns about creating a separate sex offender registry parallel to the CPIC system include: duplication of the existing system, problems of verification and misidentification, privacy concerns, driving offenders underground, and vigilante action. There is the additional problem of comprehensiveness in that many sex offenders are not apprehended or convicted.

Recognizing that many sex offenders have no criminal record, the non-profit group Volunteer Canada has been instrumental in developing the National Screening System. This group works to develop and deliver training packages around screening, and promotes the use of screening policies by volunteer agencies. Volunteer Canada advocates a screening process comprised of 10 steps, one of which is a criminal records check.

Many jurisdictions have established protocols concerning community notification about offenders who are believed to pose an imminent public safety risk. These protocols aim to help balance the public's right to be informed about the risk of significant harm with the individual's right to privacy. In most cases, decisions to release identifying information about sex offenders are made by the police in consultation with federal and provincial justice and corrections officials. Cases are reviewed according to their own set of circumstances and the decision can be made to notify only specific individuals (for example a victim or witness), a group of individuals, or the public at large.

Solicitor General of Canada. "National System for Screening Potential Child Sex Abusers Announced" Press Release. Ottawa: November 17,

Volunteer Canada. "National Education Campaign: Screening Employees and Volunteers in Positions of Trust with Children and Other Vulnerable Individuals". Ottawa: 1997.

Community Notification and Other Techniques for Managing High-Risk and Dangerous Offenders. Program from a National Conference. Winnipeg, Manitoba: June 15-17, 1997.

#### Treatment for Sex Offenders<sup>26</sup>

Sex offender treatment programs attempt to promote acceptable behaviour. They also target the changeable attributes of the offender (for example, deviant sexual arousal) that when altered, are associated with reduced recidivism (re-offending). Sex offenders may participate in these programs, and, because they often possess the same needs as non-sexual offenders, they may also participate in treatment programs that target substance abuse problems, educational and employment deficits, and emotional and familial problems.

The most prevalent treatment approach used in Canada to treat sex offenders is cognitive-behavioral therapy combined with relapse prevention. Specific programs vary but the major treatment targets are:

- (a) social skills deficits
- (b) cognitive distortions and deviant attitudes regarding sexual offences
- (c) deviant sexual behaviours and interests

Social skills deficits are most often improved by teaching offenders how to communicate appropriately, feel empathy for victims and develop relationships with suitable individuals (for example, with other adults in the case of child sexual offenders). Cognitive distortions and deviant attitudes are treated by teaching offenders how to become aware of the thinking and feeling actions that lead to criminal sexual behaviour and then to replace these actions with more appropriate ones. The reduction of deviant sexual behaviours and interests can be accomplished through the use of several treatment methods. Aversion therapy is one such method. The therapist pairs the deviant object or event of arousal with an unpleasant stimulus like a mild electric shock or a foul odor so that the offender can learn self-control over deviant arousal.

Cognitive-behavioral treatment is usually followed by, or combined with, relapse prevention. In relapse prevention, offenders are taught how to recognize risky circumstances that could lead to re-offending and how to prevent such situations from occurring.

Treatment aimed at female sex offenders often includes the components discussed above plus components specific to their needs. Most treatments use a personal victimization model that emphasizes the relationship between the offender's own sexual and physical abuse experiences and her abusive actions.

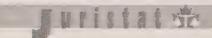
Adolescent sex offenders (under 18 years old) receive treatment similar to that of adult sex offenders, but there is more emphasis on the involvement of the offender's family in the therapy. (One method that is not used with adolescents is aversion therapy.)

The results of studies done to evaluate the effectiveness of treatment programs in reducing sexual recidivism have been inconclusive.

Correctional Service Canada, "Female Sex Offenders: A Literature Review", 1996

Correctional Service Canada, "Sex Offender Assessment, Treatment and Recidivism: A Literature Review", 1996 Correctional Service Canada, "Standards and Guidelines for the Provision of Services to Sex Offenders", 1996

<sup>&</sup>lt;sup>26</sup> The discussion on treatment of sex offenders is a general overview based on the sources indicated.



### **Data Sources**

### **Adult Criminal Court Survey (ACCS)**

The ACCS collects detailed information on appearances, charges, and cases heard in adult criminal courts in Canada. In 1997-98, adult provincial/territorial courts in seven provinces and two territories contributed data to the survey. This represented approximately 80% of the national adult criminal court caseload.

The primary unit of analysis for the survey is the case, which is defined as one or more charges laid against an individual and disposed of in court on the same day. Individuals include persons 18 years or older and youths who have been transferred to adult court.

Among other things, the ACCS collects information on how cases are disposed. The possible types of dispositions are: guilty; committed for trial in superior court (criminal proceedings are transferred to a court of higher jurisdiction); stayed/withdrawn (the court stops criminal proceedings against the accused); acquitted; and other (includes absolute and conditional discharge).

### **General Social Survey (GSS)**

The GSS is a multi-cycle survey designed to measure the social conditions of Canadians. The 1988 and 1993 GSS looked at criminal victimization. Telephone interviews were conducted with approximately 10,000 Canadians aged 15 and older. The sample covered the non-institutionalized population of the ten provinces and was selected using random digit dialing techniques. Respondents were asked about their experiences with crime and the criminal justice system over the previous 12-month period. On the basis of these interviews, estimates were made of the incidence of eight specific crimes (three violent and five property crimes) in the general population of 15 years of age and over.

### One-Day Snapshot of Inmates in Canada's Adult Correctional Facilities

On October 5, 1996, the Canadian Centre for Justice Statistics, in collaboration with federal and provincial/territorial corrections authorities, conducted a census of inmates in all adult correctional facilities in Canada. The data include inmate demographic and background information (e.g. marital status, education, employment, criminal history), case characteristics, such as offence and sentencing data and program needs of inmates.

### **Uniform Crime Reporting Survey (UCR)**

The UCR is a summary or aggregate-based survey that records the number of criminal incidents reported to the police. The survey does not gather information on the victims, but does

collect information on the number of persons charged by sex and by an adult/youth breakdown. For all violent crimes (except robbery), a separate incident is counted for each victim. For non-violent crimes, one incident is counted for each distinct occurrence. Incidents that involve more than one infraction are counted under the most serious violation. As a result, less serious offences are under-counted. The survey has been in operation since 1962 and has full national coverage.

### Revised Uniform Crime Reporting Survey (UCRII)

In 1984, the UCR survey was redeveloped to expand the information collected. This new survey, called the Revised Uniform Crime Reporting Survey (UCRII), provides detailed information on criminal incidents reported to the police. Information includes the age and sex of the accused and the victim, the relationship of the victim to the accused, and the location of the incident. The 1997 data were collected from 179 police departments in six provinces (New Brunswick, Quebec, Ontario, Saskatchewan, Alberta and British Columbia) and represented about 48% of the national volume of crime. The data are primarily from urban police departments and are not nationally representative. The exception to this urban sample is in Quebec, where all police departments (municipal and provincial) report to the UCR II.

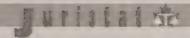
### **Violence Against Women Survey (VAWS)**

In 1993, Statistics Canada conducted the VAWS on behalf of Health Canada. It was conducted by telephone using random digit dialing techniques. A total of 12,300 women aged 18 years and older were interviewed about their experiences of physical and sexual violence since the age of 16, their responses to these experiences, and their perceptions of their personal safety. Responses were weighted to represent the 10.5 million adult women in the Canadian population. Estimates of violence were made for both the previous 12 months and since the age of 16.

### Youth Court Survey (YCS)

The Youth Court Survey collects information on federal statute cases heard in youth courts across Canada. Federal statutes include the *Criminal Code*, *Narcotic Control Act* and the *Young Offenders Act*. Information is collected on charges, cases and accused persons aged 12 to 17 (up to the 18<sup>th</sup> birthday) at the time of the offence.

Most analysis is based on the case, which is defined as one or more charges against the same person and presented in court on the same date. Cases are classified according to the most serious charge in the case, resulting in an undercounting of less serious offences. The kind of information collected by the YCS includes the type of decision (transfer to adult court, guilty, not guilty, stayed, dismissed, withdrawn and other) and the type of disposition (including secure custody, open custody, probation, fine, and compensation)



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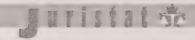
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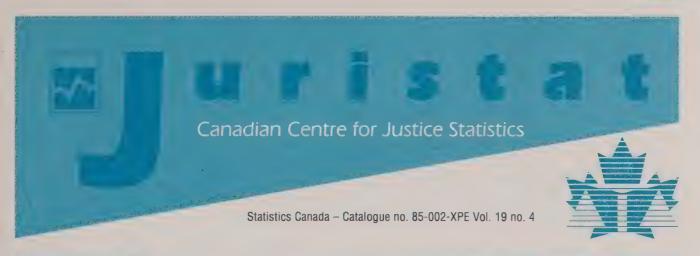
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### **ADULT CORRECTIONAL SERVICES IN CANADA, 1997-98**

Micheline Reed<sup>1</sup>
Julian Roberts<sup>2</sup>

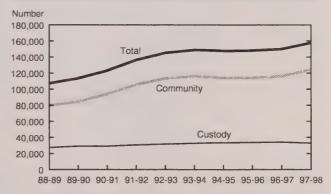
### HIGHLIGHTS

- On any day during 1997-98, an average of 157,766 adults were under the supervision of correctional agencies in Canada, an increase of 1% from the previous year. Some 32,970 offenders (21%) were housed in custodial facilities, representing a decrease of 3% from the previous year. The remaining 124,796 offenders (79%) were under some form of community supervision, an increase of 2% since 1996-97.
- After nearly a decade of growth, ending in 1992-93, adult admissions to custody in Canada continue to decline. In 1997-98, the number of admissions to custody declined by 6% from the previous year, the largest drop in decades.
- The typical offender serving a custodial sentence in a provincial/territorial facility (under two years) was male, aged 32, had been convicted of a property offence and sentenced to 44 days in custody. The typical offender in a federal institution was male, 33 years of age, convicted of robbery, and serving a 45-month sentence.
- The over-representation of Aboriginal persons in the federal prison population is worsening. Aboriginal persons accounted for 11% of admissions to federal penitentiaries in 1991-92, 15% in 1996-97 and 17% in 1997-98. (Aboriginal persons represent 2% of the adult population in Canada.)
- There is considerable variation across the country with respect to a number of important correctional statistics. Rates of persons sentenced to custody ranged from 548 per 10,000 adults charged in Manitoba to 4,741 in the Northwest Territories. The median duration of custody ranged from 15 days in New Brunswick to 115 days in Manitoba. The use of intermittent sentences ranged from 3% in British Columbia to 20% in Ontario.
- In 1997-98, the national average daily cost of housing an inmate in custody was \$128.35. In provincial/territorial facilities that cost was \$119.82, while in federal institutions, the cost was on average \$140.28 a day.
- Despite the occasional high profile incident, most offenders serving part of their sentences in the community under supervision on parole complete their terms of supervision in the community without being returned to prison for a breach of conditions. Ten percent of federal parole releases were returned to prison following an allegation of a new offence. Only 1% of paroles at the federal level were revoked following a new criminal charge involving violence during the period.

Figure 1

Average daily number of provincial/territorial and federal offenders in custody or under supervision in the community,

1988-89 to 1997-981



Provincial/territorial conditional sentences for 1997-98 are included in the community and total counts. However, conditional sentences are excluded when making year to year comparisons.

Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

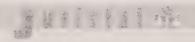






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April 1999 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

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### INTRODUCTION

When offenders are sentenced to custody or to a community-based program such as probation, they come under the responsibility of a correctional agency. These agencies will assume responsibility for implementing the sentence of the court. Correctional authorities also assess the offender's needs (e.g., with respect to drug or alcohol treatment) and provide supervision and treatment to minimize the risk that offenders will return to crime after their sentences have been served. There are three distinct types of offenders in the correctional population: prisoners on remand who are awaiting a court appearance, offenders sentenced to custody, and offenders serving part or all of their sentences in the community.

The responsibility for administering corrections is shared between the federal and provincial/territorial governments. The federal Ministry of the Solicitor General Canada is responsible for all offenders sentenced to two or more years of imprisonment. The provincial and territorial governments are responsible for offenders serving terms of imprisonment of less than two years. These provincial and territorial authorities also supervise offenders sentenced to a community-based sanction such as probation. Figure 2 provides an overview of the major events in the adult correctional system.

A number of legislative reforms introduced in recent years have focused on the correctional population. The most important recent reform which was designed to affect the provincial/territorial prison population was Bill C-41, proclaimed into law in September 1996. One of the components of that Bill created a new disposition, the Conditional Sentence of Imprisonment<sup>3</sup>, another was the introduction of alternative measures for adults. If certain conditions are met, once a sentence of imprisonment has been imposed, the court may order that the offender serve the term of imprisonment in the community, under supervision. The conditional sentence applies only to sentences of up to two years less a day and where there is no minimum sentence. Thus, it was designed to reduce the number of provincial/territorial admissions to custody.

Many Commissions of Inquiry have noted that Canada imprisons a large number of offenders<sup>4</sup>, and have suggested that some of the offenders sent to prison could be safely punished in the community (Canadian Sentencing Commission, 1987). By allowing some offenders who would in the past have gone to prison to now serve their sentences in the community, the federal government hoped to reduce the use of incarceration in a safe and principled way. In this *Juristat* we provide some information about the use of the new sanction to date. We attempted to address the critical question of whether the new sanction has been effective in reducing the number of admissions to custody at the provincial/territorial level.

This Juristat examines recent trends in the adult correctional system. A number of important questions are addressed, including the following: Has there been a change in the number of persons admitted to custody? What kinds of offenders are sent to prison, and for what kinds of crimes? To what extent are Aboriginal persons overrepresented in the correctional population? Has there been any change in the cost of keeping someone in prison or supervising them in the community?

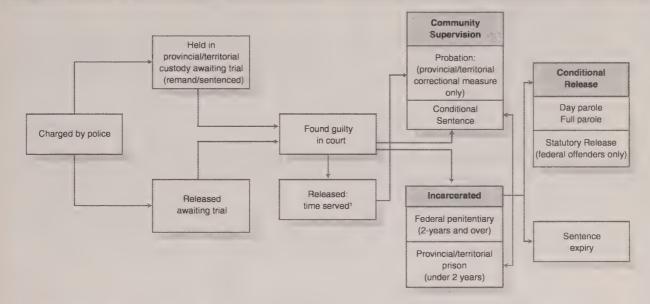
Finally, for the first time, data are presented relating to the impact of the new conditional term of imprisonment.

The data summarized in this *Juristat* are drawn from the Adult Correctional Services (ACS) Survey which provides a comprehensive analysis of the adult correctional system. Additional information about the issues explored here can be found in the report <u>Adult Correctional Services in Canada, 1997-98</u> (Catalogue No. 85-211-XIE).

<sup>&</sup>lt;sup>3</sup> Section 742.1 of the Criminal Code.

<sup>&</sup>lt;sup>4</sup> Canada's incarceration rate for 1997-98 was 109 per 100,000 population. In a recent survey (1996) from the Council of Europe, participating countries reported varying incarceration rates, such as in the Ukraine (425), Poland (149), England (107), France (90) and Germany (83).

### An overview of events in the adult correctional system



<sup>1</sup> An individual whose sentence approximates time already held in custody (i.e. while awaiting trial) is generally released by virtue of having already served their sentence.

Source: Canadian Centre for Justice Statistics. Statistics Canada.

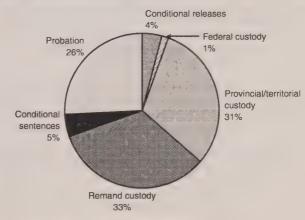
## TRENDS IN THE CORRECTIONAL POPULATION

On a day to day basis, the number of offenders in the correctional population varies (inmates are admitted and released) and correctional staff conduct daily count of inmates in their custody. From these daily counts an annual average is calculated. In 1997-98, an average of 157,766 adult offenders were under the care of correctional authorities. More than three-quarters (124,796) were under community supervision. Of this total, almost two-thirds (81,606) were offenders on probation. The remaining 32,970 offenders were incarcerated in provincial/territorial and federal custodial facilities.

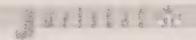
Although many people associate corrections exclusively with prison, correctional authorities have responsibility for a number of different populations. In fact, sentenced prisoners admitted to a period of custody (provincial/territorial or federal) account for slightly less than one-third (32%) of the total offender population. Accused persons detained on remand account for an additional one-third (33%) of all admissions. Approximately one-quarter (26%) of the correctional population are individuals on probation, while some (4%) are under conditional release in the community such as parole or statutory release and the remainder (5%) are serving a conditional sentence (Figure 3).

Figure 3

Adult correctional population<sup>1</sup>, 1997-98



<sup>1</sup> Excludes other provincial/territorial admissions (9,763).
Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.



### Admissions to custody and to community-based penalties down

In 1997-98, 218,526 adult offenders were admitted to custody. For the fifth consecutive year, the total number of admissions to custody across Canada declined in 1997-98. The drop from 1996-97 of 6% is the largest decrease since the overall correctional population began to decline in 1993-94. Despite the declines recorded over the past few years, in 1997-98, the number of admissions in Canada's prison was still 7% higher than a decade ago (Table 1).

admissions to custody. In Manitoba and Newfoundland, admissions to custody declined by 30% and 26%, respectively. Only one province (Prince Edward Island, +0.2%) did not experience a decline in the number of admissions to custody.

Table 2 also reveals variability in the rates of admissions to custody expressed in terms of the number of adults charged. The national average at the provincial/territorial level was 1,964 per 10,000 adults charged. However, the rate of admissions varied from a low of 548 per 10,000 adults charged in Manitoba to a high of 4,555 in Prince Edward Island and 4,741 per 10,000 in the Northwest Territories.

Table 1

### Total Number of Admissions to Provincial/Territorial and Federal Corrections, 1988-89 to 1997-98

|                      | Total number of admissions |                             |                    |                             |         |  |  |  |
|----------------------|----------------------------|-----------------------------|--------------------|-----------------------------|---------|--|--|--|
| Year                 | Custody<br>services        | % change from previous year | Community services | % change from previous year | Total   |  |  |  |
| 1988-89              | 202,572                    | 2.0                         | 63,893             | -1.2                        | 266.465 |  |  |  |
| 1989-90              | 204,892                    | 1.1                         | 68,792             | 7.7                         | 273,684 |  |  |  |
| 1990-91              | 212,592                    | 3.8                         | 76,000             | 10.5                        | 288,592 |  |  |  |
| 1991-92              | 249,091                    | 17.2                        | 89,691             | 18.0                        | 338,782 |  |  |  |
| 1992-93              | 251,329                    | 0.9                         | 91,902             | 2.5                         | 343,231 |  |  |  |
| 1993-94              | 246,376                    | -2.0                        | 94,609             | 2.9                         | 340,985 |  |  |  |
| 1994-95              | 243,785                    | -1.1                        | 92,911             | -1.8                        | 336,696 |  |  |  |
| 1995-96              | 234,732                    | -3.7                        | 90,089             | -3.0                        | 324,821 |  |  |  |
| 1996-97              | 230,031                    | -2.0                        | 92,981             | 3.2                         | 323,012 |  |  |  |
| 1997-98 <sup>1</sup> | 218,526                    | -5.0                        | 108,828            | -0.3                        | 327,354 |  |  |  |

Provincial/territorial conditional sentences (14,608) are included for the first time in community services for 1997-98. However, in calculating percent change from the previous year, conditional sentences have been excluded.

Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

There was little difference in the magnitude of the decline at the federal and provincial/territorial levels in the last year: admissions to federal institutions declined by 3% (from 4,569 to 4,412), while admissions to provincial/territorial institutions declined by 6% (from 225,462 to 214,114 admissions, excluding Northwest Territories in 1997-98).

Admissions to a community-based sanction or supervision (such as probation, parole) show a different picture. In 1997-98, 108,828 offenders were admitted to a community sentence. This represents a slight (0.3%) decrease over the previous year.

Going back a little further makes the point clearer. Over the period 1995-96 to 1997-98, admissions to custody (of all kinds, including remand) decreased by 8%, while admissions to a community-based sanction increased by 3%. Thus fewer offenders are being admitted to prison, and more offenders are beginning to serve a sentence in the community.

Excluding persons on remand, the overall decline in the number of persons admitted at the provincial/territorial level varied across the country. As Table 2 shows, in 1997-98, there was a 9% decrease from the previous year in the number of sentenced admissions to prison at the provincial/territorial level. However, some jurisdictions experienced much sharper declines in

What accounts for this variation? There are several potential explanations. One explanation is that the crimes recorded in some provinces or territories may be more serious, or some jurisdictions may have a higher percentage of repeat offenders who are more likely to be sent to prison. This cannot explain all the variation however. Quebec, for example, had the lowest proportion of violent crime in 1997<sup>5</sup> but this was not associated with a greater decline in the number of admissions to custody.

Another possible explanation for the variation in custody rates is that judges in some jurisdictions may be more likely to use imprisonment as a sanction. For example, recent sentencing statistics show that the proportion of offenders incarcerated (percentage of convictions resulting in a period of custody) varied across Canada from 22% in Nova Scotia to 60% in Prince Edward Island (Brookbank and Kingsley, 1998). One reason for the high rate of incarceration in Prince Edward Island is that judges in that province sentence impaired drivers to prison five times more than the national average (Birkenmayer and Roberts, 1997). This would account, in large part, in the high rate of admissions to custody in that province.

Only 4% of Criminal Code charges in Quebec involved violence, compared to 32% in Manitoba, 33% in Newfoundland and 24% in Saskatchewan.

### Remand and Other/temporary Detention Admissions to Provincial/Territorial Facilities, 1997-98

| Jurisdiction                 | Remand<br>admissions | % change<br>from previous<br>year | Other/tempo-<br>rary detention<br>admissions |
|------------------------------|----------------------|-----------------------------------|--|
| Newfoundland                 | 276                  | 10.0                              | 9  |
| Prince Edward Island         | 169                  | 32.0                              | -  |
| Nova Scotia                  | 1,532                | 7.0                               | 406  |
| New Brunswick                | 1,201                | 8.4                               | -  |
| Quebec                       | 27,681               | -11.6                             | _  |
| Ontario                      | 44,795               | -0.1                              | 5,174  |
| Manitoba <sup>1</sup>        | 2,761                | -2.6                              | 3,859  |
| Saskatchewan                 | 6,685                | 7.8                               | 314  |
| Alberta                      | 8,294                | -11.4                             | -  |
| British Columbia             | 10,904               | 7.1                               | -  |
| Yukon                        | 293                  | 15.8                              | 1  |
| Northwest Territories        | 1,114                |                                   |  |
| Provincial/Territorial Total | 105,705              | -2.0                              | 9,763  |

In Manitoba many of the "Other/temporary detention" admissions subsequently convert to remand.

Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada. Remand admissions include persons who have been charged with an offence and remanded (ordered by the court) to custody while awaiting a further court appearance. They have not been sentenced to custody or community sanctions but can be held for a number of reasons (e.g. arranging bail, risk that they will fail to appear for their court date, risk to re-offend, etc.)

While the focus of this report will not include a detailed analysis of remand prisoners, this group is still important in monitoring the overall correctional population.

The number of remand admissions has decreased 6% over the last five years. During 1997-98, 49% of all custodial admissions to provincial/territorial facilities were for remand.

Offenders detained on "Other/temporary detention" status include offenders held for immigration, on exchange of service agreement, in transit, etc. and account for nearly 5% of all admissions. In some jurisdictions, they represent a significant number of offenders, ranging from less than one percent (0.6%) in Newfoundland, 3% in Saskatchewan to highs of 11% in Nova Scotia and 48% in Manitoba.

Table 2

### Sentenced Admissions to Provincial/Territorial and Federal Custody, 1997-98

| Jurisdiction                 | Number of admissions | % change from previous | Rate per<br>10,000<br>adults<br>charged | Per cent<br>female<br>adults | Per cent<br>Aboriginal | Median<br>age |
|------------------------------|----------------------|------------------------|---|------------------------------|------------------------|---------------|
| Newfoundland                 | 1,166                | -25.6                  | 1,710                                   | 5                            | 7                      | 31            |
| Prince Edward Island         | 869                  | 0.2                    | 4,555                                   | 7                            | **                     | 29            |
| Nova Scotia                  | 1,914                | -9.4                   | 1,190                                   | 4                            | 4                      | 30            |
| New Brunswick                | 2,278                | -22.0                  | 1,909                                   | 4                            | 4                      | 30            |
| Quebec                       | 26,188               | -8.9                   | 2,639                                   | 8                            | 1                      | 33            |
| Ontario                      | 33,971               | -7.0                   | 2,025                                   | 9                            | 9                      | 31            |
| Manitoba <sup>1</sup>        | 1,439                | -30.4                  | 548                                     | 7                            | 61                     | 30            |
| Saskatchewan                 | 3,894                | -18.9                  | 1,264                                   | 9                            | 72                     | 29            |
| Alberta                      | 14,467               | -12.5                  | 2,487                                   | 11                           | 39                     | 31            |
| British Columbia             | 10,583               | -8.2                   | 1,431                                   | 7                            | 16                     | 30            |
| Yukon                        | 304                  | -1.9                   | 2,162                                   | 5                            | 41                     | 29            |
| Northwest Territories        | 1,573                | •••                    | 4,741                                   | 3                            |                        | **            |
| Provincial/Territorial Total | 98,646               | -8.7                   | 1,964                                   | 9                            | 15                     | 32            |
| Federal Total                | 4,412                | -3.4                   | 84                                      | 5                            | 17                     | (average) 33  |

In Manitoba, these admissions represent the front door status. In other words, people who enter the front door as arrestee or remandee status, and proceed through to being sentenced in this period, are not counted in these admissions.

Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

It is also possible that there is variation in the rate of withdrawals or stays of proceedings. Jurisdictions that use a higher proportion of stays to dispose of charges would have fewer convictions overall, and this would result in fewer admissions to custody. In Nova Scotia for example, 30% of cases were stayed/withdrawn in 1997-98, with 53% resulting in a conviction. In Prince Edward

Island, the percentage of cases stayed/withdrawn was lower (22%) but the proportion of convictions was higher (75%). Finally, if the new conditional sentence is being more widely used in some jurisdictions than others, this, too, will result in different rates of admissions to custody.

<sup>-</sup> nil or zero.

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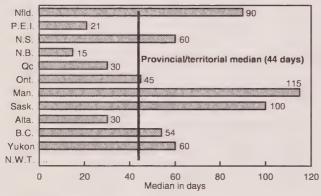
### Incarceration at the provincial/territorial level is usually brief

The median<sup>6</sup> sentence of imprisonment at the provincial/territorial level in 1997-98 increased to 44 days from 37 days the previous year, and 36 days in 1993-94. Few inmates serve their entire sentence in prison; some prisoners serve the last portion under supervision in the community. The median length of time actually served in prison in 1997-98 was 24 days.

As with other variables examined in this *Juristat*, there is considerable variation in the median sentence length across the country. The median varied from a low of 15 days in New Brunswick to a high of 115 in Manitoba (Figure 4). This variability also reflects the influence of a number of factors. A jurisdiction with a higher percentage of serious crimes or repeat offenders will have a longer median sentence length (as the more serious crimes result in longer terms of imprisonment). The median sentence length can also be affected by the very short sentences served by fine defaulters. If a jurisdiction has a large number of admissions to custody for fine default, this will probably result in a lower median sentence length in that jurisdiction, as these individuals admitted for fine default spend a relatively brief period in custody.

Figure 4

### Median sentence length on admission to provincial/territorial custody, 1997-98



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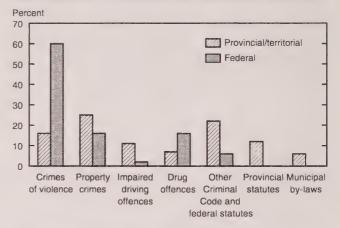
**Source:** Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

### Property crimes account for the highest percentage of admissions to custody

A clear distinction emerges between the provincial/territorial and federal prison populations in terms of the crime for which the offender is admitted to prison. Property crimes account for the highest percentage (25%) of admissions at the provincial/territorial level, while crimes of violence account for the highest percentage of admissions to custody at the federal level (60%). In fact, the provincial/territorial prison population is quite heterogeneous in terms of the most serious crimes for which prisoners are admitted. Although the highest percentage of admissions are accounted for by property offences, almost as many offenders were admitted for "other Criminal Code offences and related federal statutes?" (22%) (Figure 5).

Figure 5

### Most serious offence committed on admission to custody<sup>1,2</sup>, 1997-98



<sup>1</sup> The percentage breakdown shown in this chart represents jurisdictions reporting either the offence for the most serious disposition or most serious offence.

<sup>2</sup> Offence data were known for 87% of federal admissions.

**Source:** Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

The large percentage of admissions for property offences at the provincial/territorial level reflect the influence of two factors. First, property crimes are more common than crimes of violence. Second, property offenders usually acquire lengthy criminal records faster than persons convicted of a crime of violence (Campbell, 1993). After the seriousness of the crime, an offender's criminal record is the most important determinant of the sentence imposed.

# Fine defaulters still account for a significant percentage of provincial/territorial admissions to custody

Fine defaulters accounted for over one-fifth (22%) of provincial/ territorial<sup>9</sup> admissions to custody in 1997-98. Although this represents a decline from 26% in the previous year, there has been only a modest reduction in the volume of admissions to custody for fine default over the past 15 years: in 1981-82, 29% of provincial/territorial admissions were fine defaulters. There is considerable variation across the country in terms of the percentage of admissions to custody who are fine defaulters. The range was 1% in Newfoundland, 2% in Ontario but 33% in Alberta and 57% in Quebec.

<sup>7</sup> This group includes other Criminal Code offences such as arson, administration of justice and mischief and federal statutes such as immigration.

In 1997, property crimes accounted for 56% of all crimes recorded by the police, violent crimes represented 11%.

No data were available from the Northwest Territories.

The median score represents the mid-point when all values are arranged in order of magnitude. One-half of all scores have a value less than or equal to the median, one-half have a value greater than or equal to the median.

### Fine Default Admissions to Provincial/ Territorial Facilities, 1997-98

| Jurisdiction                 | Number of admissions | % change<br>from previous<br>year |  |  |  |  |  |
|------------------------------|----------------------|-----------------------------------|--|--|--|--|--|
| Newfoundland                 | 14                   | -90.5                             |  |  |  |  |  |
| Prince Edward Island         | 88                   | -53.4                             |  |  |  |  |  |
| Nova Scotia                  | 397                  | 2.1                               |  |  |  |  |  |
| New Brunswick                | 122                  | -32.6                             |  |  |  |  |  |
| Quebec                       | 14,817               | -7.0                              |  |  |  |  |  |
| Ontario                      | 730                  | -73.4                             |  |  |  |  |  |
| Manitoba                     | 208                  | -77.4                             |  |  |  |  |  |
| Saskatchewan                 | 196                  | -81.5                             |  |  |  |  |  |
| Alberta                      | 4,780                | -16.3                             |  |  |  |  |  |
| British Columbia             | 356                  | -71.9                             |  |  |  |  |  |
| Yukon                        | 8                    | .,                                |  |  |  |  |  |
| Northwest Territories        |                      |                                   |  |  |  |  |  |
| Provincial/Territorial Total | 21,716               | -23.9                             |  |  |  |  |  |
|                              |                      |                                   |  |  |  |  |  |

.. figures not available.

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Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Fine default admissions represent the number of offenders admitted to a provincial/territorial facility to serve a sentence in default of paying a fine.

Significant decreases were reported in the number of offenders admitted to custody for defaulting on payment of a fine.

In the last year, many jurisdictions have initiated various programs to collect unpaid fines. For example a person must pay all outstanding fines before a driver's license is renewed.

Between 1996-97 and 1997-98, the decrease in admissions was 24%.

### Little change in percentage of offenders admitted to serve a life term

The percentage of offenders admitted to serve a term of life imprisonment in federal facilities declined slightly, from 4.6% in 1996-97 to 4.3% in 1997-98.

### Female offenders represent less than 10% of prison admissions

In 1997-98, males represented 91% and females 9% of all sentenced admissions to provincial/territorial prisons (Table 2). This gender ratio has not changed in recent years: women accounted for the same percentage of admissions in 1992-93. Female offenders represent an even smaller percentage (5%) of admissions to federal penitentiaries. The gender difference in admissions to custody in federal institutions is explained by the fact that females are less likely to be charged and convicted of the kinds of offences which result in sentences in excess of two years.

### The prison population is ageing in provincial/ territorial facilities

There has been a slight increase in the age of persons admitted to provincial/territorial custody. The median age of provincial/territorial inmates was 32, up from 31 in 1996-97 (Table 2). The increase in the age of offenders reflects two trends. First, an increased use of alternative sentences for first offenders (who are more likely to be younger than the average offender). Second, the general population is ageing, and this will be reflected in the age profile of the offender population. The average age of offenders in federal facilities was 33 in 1997-98, a decrease from 36 the previous year.

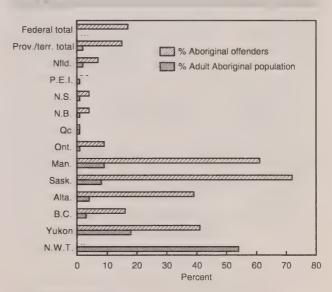
### Aboriginal offenders still over-represented in admissions to prison

Aboriginal peoples represent 2% of the adult population, but 15% of the admissions to custody at the provincial/territorial level. As in previous years, there is considerable variation across

the country. Figure 6 shows the percentage of Aboriginal admissions ranged from a low of about 1% in Quebec to a high of 72% in Saskatchewan. Manitoba and the Yukon also had significant percentages of Aboriginal admissions (61% and 41% respectively; Table 2).

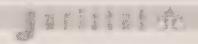
Figure 6

### **Proportion of Aboriginal persons**



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Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.



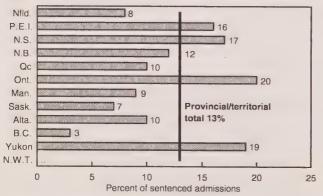
The percentage of federal admissions that are Aboriginal continues to increase: it was 11% in 1991-92, 15% in 1996-97 and 17% in 1997-98. These data suggest that efforts 10 designed to reduce the use of incarceration for Aboriginal offenders have yet to prove effective.

### Intermittent sentences continue to account for significant percent of prison terms

The *Criminal Code* permits judges to sentence some offenders to an intermittent term of imprisonment. This means that the offender serves the time on the weekend, thereby allowing him or her to work, go to school or attend a treatment program during the week. When the offender is not in custody, he or she must abide by the conditions of a probation order imposed by the court. There are certain restrictions regarding the imposition of intermittent sentences, and they cannot exceed 90 days in length. In some jurisdictions, correctional facilities are so overcrowded that there is insufficient room for the offender sentenced to serve time on the weekend. The result is that when the offender arrives to serve the sentence he or she may be simply required to sign in and authorised to return home. For this reason, judges in some jurisdictions are reluctant to impose intermittent terms of imprisonment (Edgar, 1999).

Overall, intermittent sentences represented 13% of all admissions to custody in 1997-98, down 2% from the previous year. There was considerable variation across the jurisdictions with regard to the use of intermittent sentences. The use of intermittent terms ranged from a low of 3% of all admissions in British Columbia to a high of 20% in Ontario (Figure 7). This is noteworthy because it was thought that with the creation of the conditional sentence, judges would use the new disposition in cases that would previously have attracted an intermittent term of imprisonment.

Percentage of intermittent sentence admissions, 1997-98



. figures not available.

**Source:** Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

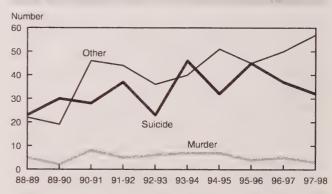
The extent to which judges in a particular province or territory impose intermittent sentences may well be influenced by prison populations in that jurisdiction. If the prisons are full, there will be reduced capability to accommodate offenders for a brief period of time, such as a weekend.

### Suicide the most frequent cause of death in custodial population

There were 92 inmate deaths in Canada's custodial institutions in 1997-98, the same number as in the previous year. Suicide continues to be the most frequent cause of deaths in custody, accounting for 32 (35%) of all deaths. The number of suicides in custody declined slightly at both the federal (down from 10 to 9) and provincial/territorial (down from 27 to 23) levels. The suicide rate in prison is more than twice as high as the general population. Three murders were recorded in Canada's prisons in 1997-98, two in federal penitentiaries and one in a provincial institution. The remaining deaths were from natural causes or were classified "other" by correctional officials.

Figure 8

## Causes of death in the provincial/territorial and federal custodial population



Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

#### Escapes are very rare

In 1997-98, only one federal inmate escaped from a maximum security penitentiary. Two individuals escaped from medium security level facilities, and 66 from minimum level security facilities, up slightly from 1996-97. At the provincial/territorial level, the number of inmate escapes decreased 24%, from 1,220 to 923. More than half of all provincial/territorial escapes were individuals who did not report to an institution to serve an intermittent sentence.

<sup>10</sup> For example, according to section 718.2 (e) of the Criminal Code urges judges to consider all available sanctions other than imprisonment, "with particular attention to the circumstances of Aboriginal offenders".

# TRENDS IN COMMUNITY-BASED CORRECTIONS: CONDITIONAL SENTENCES, PROBATION AND PAROLE

Community-based corrections include a number of different categories including offenders serving conditional terms of imprisonment, offenders on probation, offenders on parole, and offenders on statutory release.

### Type of conditional release

There are three types of conditional release by which federal offenders can be released into the community: day parole, full parole and statutory release.

- Day parole provides offenders with the opportunity to participate in on-going community activities. Usually the offender resides at a correctional institution or halfway house in the community. Inmates are granted day parole in order to help them reintegrate back into the community, participate in educational or training programs, work and prepare for eventual full parole or statutory release.
- Full parole is a form of conditional release from prison, granted at the discretion of the parole authorities. Offenders released from prison on full parole serve part of their sentence in the community under supervision. If the offender violates the conditions of parole, he or she may be returned to prison to serve the balance of the sentence in custody. Most federal inmates are eligible to apply for full parole after having served one-third of their sentences. 11 Decisions regarding parole for federal inmates, as well as inmates in provincial and territorial institutions (except in British Columbia, Ontario and Quebec which have their own parole boards) are made by the National Parole Board (NPB).
- Statutory release requires that federal inmates serve the final one-third of their custodial sentence in the community under supervision. Offenders on statutory release are typically inmates who either waived full parole, or who were denied release on full parole.<sup>12</sup>

### Conditional terms of imprisonment

As noted earlier in this *Juristat*, if certain conditions are met, a judge, after imposing a term of imprisonment of less than two years in provincial/territorial facilities, may order the offender to serve the prison sentence in the community, under supervision. The offender will have to follow a number of mandatory conditions such as reporting to a probation officer or a designated supervisor. As well, the judge may impose additional conditions, such as requiring the offender to attend a treatment program. If the offender breaches these conditions, he/she will be returned to court for a breach hearing. At this point the court may modify the conditions, take no action, or order that the offender be committed to prison to serve the balance of the sentence. The purpose of this new disposition was to reduce the number of admissions to custody at the provincial/territorial level.

This *Juristat* provides some preliminary data on the use of conditional sentences since the creation of the new sentence in September 1996. Over the period September 6, 1996 to

March 31, 1998, 22,281 offenders began to serve a conditional term of imprisonment in the community. The goal of the conditional sentence was to create another alternative to conventional imprisonment, in order to reduce the number of admissions to custody. Since the conditional sentence is restricted to custodial terms under two years in length, reductions in the numbers of admissions to custody would only be seen at the provincial/territorial level.

### Significant numbers of offenders being sentenced to imprisonment in the community

The number of sentenced admissions to custody declined in all provinces or territories except Prince Edward Island (Table 3). However, this general decline in admissions cannot be attributable to the introduction of conditional sentences, since, as we have seen, admissions to custody had been declining for several years before conditional sentences were introduced. The source of this decline is most likely the downturn in the crime rate: fewer offences, fewer charges, fewer convictions and hence fewer admissions to prison (i.e., fine defaulters and intermittent sentence servers). Another factor contributing to this decrease could be the introduction of alternative measures for which data are not yet available.

In order to determine whether the conditional sentence has reduced the number of admissions to custody, we have to examine sentencing patterns. The conditional sentence was created to replace serving the actual term in custody. Indeed, as noted, before placing an offender on a conditional sentence, judges must have first imposed a term of imprisonment. This means that if the conditional sentence has been effective, the percentage of admissions under sentence to provincial/territorial facilities should have declined by the number of conditional sentences imposed.

However, preliminary analyses reveal little change in the number of incarceration since the introduction of the new conditional sentence. Thus in the year prior to the creation of conditional sentencing (fiscal year 1995-96), 35% of sentences imposed for the jurisdictions that provided data<sup>13</sup> involved a term of imprisonment. In 1997-98, by which time over 22,000 conditional sentences had been imposed, the proportion of incarcerations was unchanged (35%).

In the province of Ontario, in 1997-98, 4,293 conditional sentences were imposed. The number of incarcerations was unchanged in the province from 1996-97 to 1997-98 (38%). In Alberta, the proportion of offenders incarcerated actually rose, from 27% in 1996-97 to 28% in 1997-98. However, until all jurisdictions are collecting and coding conditional sentences in a consistent fashion, it is impossible to draw a definitive conclusion about the impact of the new disposition on incarceration rates.

<sup>11</sup> For a limited number of offences, the sentencing judge can defer the parole eligibility date from one-third to one-half of the sentence. Inmates serving life terms have different parole eligibility dates (usually set by the court), depending on the seriousness of the crime for which their life terms were imposed.

Some offenders will be detained in prison for the full sentence.
 Data from the Adult Criminal Courts Survey for Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Yukon and the Northwest Territories.

Table 3

### Changes in the Number of Admissions to Custody and Community 1997-98, Following the Introduction of Conditional Sentences in September 1996

| Jurisdiction                 | Number of conditional | Change in s<br>admiss |       | Change in probation admissions |       |  |
|------------------------------|-----------------------|-----------------------|-------|--------------------------------|-------|--|
|                              | sentences<br>imposed  | Number                | %     | Number                         | %     |  |
| Newfoundland                 | 304                   | -402                  | -25.6 | 36                             | 1.8   |  |
| Prince Edward Island         | 29                    | 2                     | 0.2   | 53                             | 7.7   |  |
| Nova Scotia                  | 476                   | -199                  | -9.4  | -65                            | -1.7  |  |
| New Brunswick                | 596                   | -641                  | -22.0 | 77                             | 4.3   |  |
| Quebec                       | 3,983                 | -2,565                | -8.9  | 63                             | 0.9   |  |
| Ontario                      | 4,293                 | -2,559                | -7.0  | 2,467                          | 7.4   |  |
| Manitoba                     | 526                   | -630                  | -30.4 | 2                              | 0.1   |  |
| Saskatchewan                 | 928                   | -908                  | -18.9 | 249                            | 8.3   |  |
| Alberta                      | 1,343                 | -2,068                | -12.5 | -646                           | -7.7  |  |
| British Columbia             | 2,080                 | -948                  | -8.2  | -2,712                         | -16.8 |  |
| Yukon                        | 50                    | -6                    | -1.9  | -64                            | -12.4 |  |
| Northwest Territories        |                       |                       |       |                                |       |  |
| Provincial/Territorial Total | 14,608                | -9,351                | -8.7  | 1,007                          | 1.2   |  |

<sup>..</sup> figures not available.

Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

As Table 4 shows, fewer women (20%) than men were given a conditional sentence during 1997-98. The median age of offenders serving a conditional sentence was 34, and Aboriginal offenders represented 12% of the overall number of conditional sentences. It is interesting to note the similarities in these offender characteristics to those receiving a term of probation. Women made up 16% of all probationers while Aboriginal offenders account for 12% and the median age is 31. Women serving a custodial sentence represented 9% of all sentenced admissions, Aboriginal offenders represented 15% of sentenced offenders and the median age was 32.

### Admissions to probation stable, but rates variable across the country

Probation allows an offender to live in the community under the supervision of a probation officer. Overall, there was little change in the volume of admissions to probation: a small decrease of almost 1% from the previous year. However, this overall statistic hides a great deal of variation across the jurisdictions. The number of admissions to probation declined significantly in three provinces or territories (British Columbia, Yukon, and Alberta had declines of 17%, 12% and 8%, respectively) (Table 5). Increases were recorded in four other jurisdictions (Prince Edward Island and Saskatchewan - 8%, Ontario - 7%, and New Brunswick - 4%). Admissions were essentially stable in the remaining provinces or territories.

Rates of probation per 10,000 adults charged with a criminal offence also varied, from a low of 728 in Quebec to 4,662 in the Northwest Territories. The national average was 1,640 per 10,000 adults charged.

The most frequently imposed length of probation (accounting for 30% of cases) was 12 months. The profile of persons sentenced to probation differed little from the profile of persons admitted to custody. The median age was 31 years and 12% were Aboriginal offenders. Female offenders accounted for a greater percentage of probationers than sentenced admissions to custody (16% compared to 9%). This finding reflects the fact that women tend to be convicted of less serious offences which are more likely to result in probation than custody. Judges may also be more likely to sentence women to probation, if they believe that female offenders represent a lower risk of reoffending.

### Parole grant rates up, at the federal and provincial/ territorial levels

Three provinces (Quebec, Ontario and British Columbia) operate parole boards that are responsible for inmates in their provincial prisons. The National Parole Board is responsible for all prisoners serving sentences of over two years, as well as prisoners in provinces or territories that do not have their own parole boards.

The grant rate represents the percentage of inmates who applied for full parole and who were granted release on parole over the course of the year. The National Parole Board's federal grant rate increased for the third successive year in 1997-98 to 42% from 40% in 1996-97, while it's provincial/territorial grant rate decreased significantly to 43% from 52% over the same time period. The grant rate for the provincial parole boards increased slightly in 1997-98 to 51% from 50% in 1996-97.

<sup>..</sup> figures not appropriate or applicable.

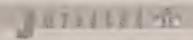


Table 4

### Number of Conditional Sentences Imposed September 1996 to March 1998

| Jurisdiction                              | Year               | Number of conditional sentences | Per cent<br>females | Per cent<br>Aboriginal | Median<br>age |
|---|--------------------|---------------------------------|---------------------|------------------------|---------------|
| Newfoundland                              | 1996-97<br>1997-98 | 212<br>304                      | 30<br>25            | 1 7                    | 25<br>31      |
| Prince Edward Island                      | 1996-97<br>1997-98 | 4<br>29                         | 10                  |                        |               |
| Nova Scotia                               | 1996-97            | 242                             | 16                  | <b>2</b>               | 31            |
|   | 1997-98            | 476                             | 14                  | 3                      | 30            |
| New Brunswick                             | 1996-97<br>1997-98 | 185<br>596                      | 20<br>19            |                        | 27<br>29      |
| Quebec                                    | 1996-97            | 2,555                           | 14                  | 3                      | 32            |
|   | 1997-98            | 3,983                           | 14                  | 4                      | 32            |
| Ontario                                   | 1996-97            | 1,940                           | 23                  | 7                      | 33            |
|   | 1997-98            | 4,293                           | 25                  | 7                      | 33            |
| Manitoba                                  | 1996-97<br>1997-98 | <br>526                         |                     | <br>                   |               |
| Saskatchewan                              | 1996-97            | 445                             | 16                  | 78                     | 29            |
|   | 1997-98            | 928                             | 29                  | 73                     | 29            |
| Alberta                                   | 1996-97<br>1997-98 | 1,004<br>1,343                  | 27<br>26            | 22<br>22               |               |
| British Columbia                          | 1996-97            | 1,064                           | 15                  | 15                     | 31            |
|   | 1997-98            | 2,080                           | 16                  | 16                     | 32            |
| Yukon                                     | 1996-97            | 22                              | 23                  | 23                     | 30            |
|   | 1997-98            | 50                              | 20                  | 93                     | 29            |
| Northwest Territories                     | 1996-97<br>1997-98 |                                 | <br>                | <br>                   |               |
| Provincial/Territorial Total <sup>1</sup> | 1996-97            | 7,673                           | 19                  | 12                     | 34            |
|   | 1997-98            | 14,608                          | 20                  | 12                     | 34            |

Conditional sentences were introduced in September 1996.

Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

figures not available.

<sup>..</sup> figures not available.
-- amount too small to be expressed

nil or zero.

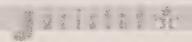


Table 5

### **Number of Probation Admissions, 1997-98**

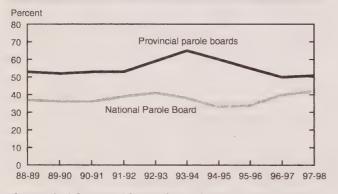
| Jurisdiction                 | Number<br>of<br>admissions | % change<br>from<br>previous<br>year | Rate per<br>10,000<br>adults<br>charged | Per cent<br>female | Per cent<br>Aboriginal | Median<br>age |
|------------------------------|----------------------------|--------------------------------------|---|--------------------|------------------------|---------------|
| Newfoundland                 | 1,982                      | 1.8                                  | 2,907                                   | 18                 | 6                      | 30            |
| Prince Edward Island         | 744                        | 7.7                                  | 3,899                                   |                    | **                     | **            |
| Nova Scotia                  | 3,715                      | -1.7                                 | 2,309                                   | 16                 | 5                      | 31            |
| New Brunswick                | 1,858                      | 4.3                                  | 1,557                                   | 17                 | **                     | 28            |
| Quebec                       | 7,225                      | 0.9                                  | 728                                     | 11                 | 6                      | 31            |
| Ontario                      | 35,930                     | 7.4                                  | 2,142                                   | 17                 | 7                      | 30            |
| Manitoba                     | 3,659                      | 0.1                                  | 1,394                                   | 8.0                | ,,                     |               |
| Saskatchewan                 | 3,261                      | 8.3                                  | 1,059                                   | 18                 | 61                     | 28            |
| Alberta                      | 7,794                      | -7.7                                 | 1,340                                   | 18                 | 24                     |               |
| British Columbia             | 13,440                     | -16.8                                | 1,818                                   | 14                 | 16                     | 31            |
| Yukon                        | 451                        | -12.4                                | 3,208                                   | 19                 | 96                     | 30            |
| Northwest Territories        | 1,547                      |                                      | 4,662                                   | 18                 |                        | 28            |
| Provincial/Territorial Total | 81,606                     | -0.7                                 | 1,640                                   | 16                 | 12                     | 31            |

<sup>1</sup> Percentage change calculation from the previous year excludes Northwest Territories.

Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Figure 9

### Full parole grant rate



Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

As in previous years, there was variation in the grant rates of the provincial boards<sup>14</sup>. The grant rate in Quebec was almost twice as high as the rate in Ontario (65% versus 34%). This reflects a significant (and steady) decline in Ontario's grant rate over the past five years. In 1993-94 the Ontario grant rate was 59%. The following year it was 49%, in 1995-96 it was 42% and last year it reached 35%.

### Almost all offenders on parole complete their periods of parole successfully

The vast majority of parolees serve out their sentences in the community without violating their parole conditions. Of the provincial/territorial full paroles granted in 1997-98, 78% were completed successfully, that is without revocation or suspension. The federal parole success rate was also high: 67% of prisoners released on full parole successfully completed their sentences in the community. A further 22% of federal parolees were returned to prison for breaching some condition of parole, such as abstaining from the consumption of alcohol. Ten percent were returned to prison following an allegation of a new non-violent offence, and 1% were returned as a result of new charges involving violence. These statistics contradict the public perception that a significant number of offenders on parole re-offend. In 1998, a representative sample of the public was asked to estimate the percentage of federal inmates released on parole who commit another offence before their sentence has ended. Almost nine out of ten respondents over-estimated the rate of recidivism. Over half the sample estimated the new-offence recidivism rate of parolees to be between 50% and 100%. As the statistics show, the actual figure is much lower (Beard, Hann, Nuffield, Roberts and Tremblay, 1999).

<sup>..</sup> figures not available.

<sup>...</sup> figures not appropriate or applicable

<sup>14</sup> Data for parole grant rate in British Columbia were not available for the last two years.

### Temporary absences from federal prisons are almost always completed successfully

Inmates may apply for temporary absences from prison. These allow the prisoner to leave the institution for a short period of time, and are granted for a variety of reasons including medical grounds. The absence can last from a few hours up to a few days, and can be either escorted (by a correctional officer) or unescorted.

In 1997-98, all but 11 of the 47,625 escorted absences and 26 of the 6,154 unescorted absences from federal facilities were completed successfully for a success rate of 99%. Comparable information will be available in the future from the provincial/territorial systems.

### **ADULT CORRECTIONAL EXPENDITURES**

In 1997-98, combined federal and provincial/territorial operating expenditures on corrections reached \$2.08 billion, compared with \$1.88 billion in 1993-94, an increase of 11% (Figure 10). After adjusting to control for inflation, total operating expenditures increased 5% over the same period.

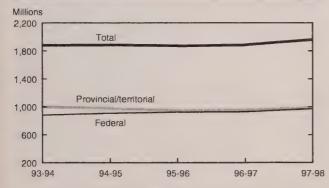
Federal operating expenditures reached \$1.03 billion in 1997-98, up 17% from 1993-94 (a 10% increase when adjusted for inflation). Provincial/territorial spending reached \$1.05 billion in 1997-98, an increase of 5% from the previous year (a decrease of 0.4% after controlling for inflation).

The average daily cost of housing an inmate at the federal level was \$140 in 1997-98. In provincial/territorial facilities, the cost rose to \$120, up 8% from 1996-97.

Considerable variation exists across the country in terms of the average daily inmate cost. Jurisdictions which have a low average daily inmate cost include Alberta (\$83), New Brunswick (\$90) and Saskatchewan (\$95). On the other hand, Yukon (\$219) and Newfoundland (\$146) have relatively high daily inmate costs.

Figure 10

Total operating expenditures, 1993-94 to 1997-98 (in constant 1993-94 dollars)



**Source:** Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

#### Conclusion

The correctional system attracts a great deal of media attention and public scrutiny. As well, it has been the target of significant legislative reform over the past few years. One of the principal goals of these reforms has been to reduce the level of incarceration in Canada. The data summarized in this Juristat show that for a variety of reasons, including a declining crime rate, and the introduction of reform legislation, the number of admissions to custody is declining. However, there has been no change in the rate of incarceration for Aboriginal persons, although this was one of the goals of the 1996 sentencing reform legislation. Indeed, at the federal level, the rate of Aboriginal admissions to custody is actually increasing.

The statistics summarized in this Juristat also show that admissions for remand and fine default continue to consume considerable amounts of correctional resources. Reducing the number of people admitted to custody for failure to pay a fine has been and continues to be a challenge for the criminal justice system in Canada. Finally, these data show that a gap still exists between public perception and reality as reflected in the correctional statistics. Statistics summarized here show that the percentage of full parole releases that are revoked as a result of new criminal charges is much lower than generally believed by the public. Finally, for many issues examined in this report, the data show significant variation across the jurisdictions.

### Methodology and data limitations

The information presented in this *Juristat* is derived from the Adult Correctional Services Survey. This survey is conducted annually (on a fiscal year basis from April 1 to March 31) and is designed to collect caseload and case characteristics information on adult offenders. Data pertain to both the provincial/territorial and federal corrections sectors.

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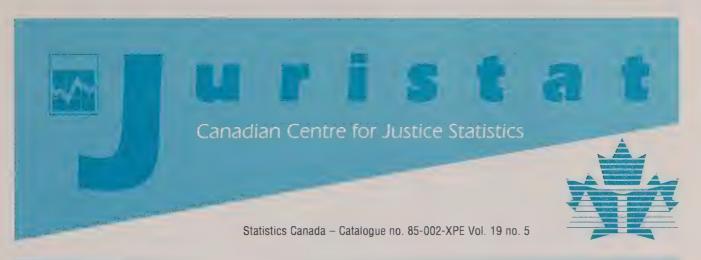
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## FEMALE INMATES, ABORIGINAL INMATES, AND INMATES SERVING LIFE SENTENCES: A ONE DAY SNAPSHOT

Anne Finn, Shelley Trevethan, Gisèle Carrière and Melanie Kowalski

### HIGHLIGHTS

The data presented in this *Juristat* are based on a "One-Day Snapshot" survey of all inmates who were on-register in adult correctional facilities on Saturday, October 5th, 19961.

### Female Inmates:

- Female inmates were less likely than males to be incarcerated for violent crimes.
- Women in federal facilities were most often convicted of homicide/attempted murder (37%) and drug-related offences (27%) as their most serious offence. Women in provincial/territorial facilities were most often convicted of drug-related offences (13%) of theft (12%).
- Female inmates tended to be in their early 30's, single, with grade 9 education or less, and unemployed.
- Female inmates were classified as lower risk than male inmates. While female inmates in provincial/territorial facilities had higher needs than males on most dimensions those in federal facilities had lower needs than males.

### **Aboriginal Inmates:**

- The proportion of Aboriginal inmates in correctional facilities was larger than the proportion of Aboriginal adults in the Canadian population (17% versus 2%).
- Aboriginal inmates were incarcerated for assault offences more often than non-Aboriginal inmates.
- Aboriginal inmates were younger on average, had less education, and were more likely to be unemployed than non-Aboriginal inmates.
- Aboriginal inmates were considered higher risk to re-offend and had higher needs than non-Aboriginal inmates.

#### Lifers:

- Inmates serving a life sentence ("lifers") comprised 18% of the total federal inmate population.
- Lifers were typically older than the rest of the inmate population, primarily male, non-Aboriginal, single and had lower levels of education than the rest of the inmate population.
- Lifers were incarcerated for fewer but more serious offences than non-lifers.
- Lifers had high needs in the areas of personal/emotional needs and substance abuse.

<sup>1 &</sup>quot;On-register" refers to the number of inmates who have been placed at that facility to serve their sentence. Inmates may not be physically located at the facility on Snapshot day because they were away from the facility (e.g., on temporary absence, serving an intermittent sentence in the community, away for medical reasons or court appearances, etc.).



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April 1999 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

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### INTRODUCTION

Over the past several years there has been growing concern regarding increases in the correctional population. Between 1988-89 and 1997-98, the overall number of admissions to custody and community supervision increased by 17% (Canadian Centre for Justice Statistics, Adult Correctional Services Survey, 1997-98). Among the reasons cited for the increased offender population are an increasing number of serious offenders in correctional facilities (e.g., sex offenders, violent offenders), harsher measures for more serious offences (e.g., four year minimum sentences for firearms), increased female involvement in the criminal justice system, the continued over-representation of Aboriginal people in the justice system and the growing accumulation of "lifers" in correctional facilities.

This Juristat presents profiles of three segments of the inmate population: females, Aboriginal inmates, and inmates serving life sentences. Although there has been considerable research on women and Aboriginal inmates, and some research has

focused on lifers, this is the first time that extensive data on inmate characteristics have been collected on a national level. The Juristat will present data for these three groups from the One-Day Snapshot survey of inmates in federal and provincial/territorial adult correctional facilities, including the number of inmates in custody, inmate characteristics, offences, sentence length, and accommodations. Information on risk and need profiles were provided by a select number of jurisdictions and will be discussed where possible, in relation to these sub-populations.

The "One-Day Snapshot" was undertaken on Saturday, October 5<sup>th</sup>, 1996. The data described all inmates who were "on-register" in federal and provincial/territorial facilities at midnight on Snapshot day. The "on-register" population refers to the number of inmates who have been placed in a facility to serve their sentence.

The data gathered covered the number and types of facilities in each jurisdiction and the nature and amount of accommodation available. As well, it covered inmate demographic and background information (e.g., marital status, education, employment experience, language, and citizenship); case characteristics such as the inmate's legal status, security classification, offence and sentencing data; security concerns; use of segregation; and, information on the level of risk and the nature of the program needs of inmates for a number of jurisdictions.

### **BACKGROUND**

The Canadian Centre for Justice Statistics, in collaboration with federal and provincial/ territorial correctional authorities, conducted a census of inmates in all adult correctional facilities in Canada on October 5th, 1996². The purpose of the project was to provide more detailed information on the make-up of federal and provincial/territorial inmate populations in Canada. In Canada, the responsibility for housing offenders sentenced to a term of incarceration is shared between the federal and the provincial/territorial governments. Correctional Service Canada (CSC) is responsible for offenders sentenced to two or more years. Provincial/territorial corrections are responsible for offenders who receive custodial sentences of less than two years³ and for housing persons charged with offences who have been "remanded" to custody while awaiting trial⁴.

It should be noted that data in this *Juristat* are based on inmates who were in a facility on one particular day. As such, generalizations should be made with caution.

In special cases inmates who are serving less than two years may be transferred to a federal facility. As well, inmates in provincial/territorial facilities may be federal inmates who are awaiting transfer to a federal facility, or inmates being held under an Exchange of Service Agreement.

For more information see "A One Day Snapshot of Inmates in Canada's Adult Correctional Facilities" by Robinson, Millson, Trevethan and MacKillop, 1998 in Juristat Vol. 18 no.8 Catalogue no. 85-002-XPE and "A One Day Snapshot of Inmates in Canada's Adult Correctional Facilities" by Trevethan, Carrière, MacKillop, Finn, Robinson, Porporino and Millson, 1999, Catalogue no. 85-601-XPE.

<sup>4</sup> Remand refers to persons who have been charged with an offence and ordered by the court to custody while awaiting a further court appearance. They have not been sentenced to custody or community service but can be held for a number of reasons (e.g., risk that they will fail to appear for their court date, risk to re-offend, etc.).

#### What does past research tell us?

#### **About Women Inmates:**

- Criminologists and policy makers have tended to overlook female crime because women make up such a small proportion of offenders and are involved in less serious crimes than men (Boritch, 1997).
- Since 1977, the total number of women charged per year has increased 54%(Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey (UCR), 1997).
- Three-quarters of charges laid against women by police are for shoplifting or fraud, or for violations of drug or liquor regulations (Boritch, 1997; Johnson, 1986).
- Aboriginal women account for approximately 30% of all female admissions to provincial/territorial facilities (Lipinski, 1991).

### **About Aboriginal Inmates:**

- Aboriginal persons are over-represented in correctional facilities (Correctional Law Review, 1988; Robinson et. al., 1998).
- Aboriginal inmates tend to show a higher incidence of single-parent homes, family problems and foster-home placements (Cawsey, Bear, Bertolin, Cooper, Frenklin, Galet and Gallagher, 1991; Correctional Law Review, 1988; Royal Commission on Aboriginal Peoples, 1996).
- Economic and social deprivation is a major underlying cause of the proportionately high rates of criminality among Aboriginal people (Royal Commission on Aboriginal Peoples, 1996).

#### **About Inmates Serving Life Sentences:**

- The percentage of offenders sentenced to life terms of imprisonment, while still small, is growing. Admissions for life terms rose from 3% of all admissions in 1992-93 to 5% in 1997-98 (Reed and Roberts, 1999).
- Those serving a life sentence or an indeterminate sentence are less likely to have two or more previous federal incarcerations (Weekes, 1992).
- In comparison to the total federal offender population in Canada, life-sentence offenders are older and have less extensive criminal histories (Porporino, 1991).
- Although the largest proportion of the federal offender population are serving their first federal commitment (59%), an even larger proportion of life-sentence offenders are serving their first federal term (70%) (Porporino, 1991).

### CHARACTERISTICS OF FEMALE INMATES

Although women comprise a relatively small proportion of persons involved in crime, the proportion has increased over the past decade and has put new demands on the police, courts, correctional facilities and community programs. In 1997, approximately 18% of adults charged were female, an increase from 16% in 1986 and 13% in 1977 (Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey, 1977 to 1997). In 1997-98, females represented 9% of adult sentenced admissions to provincial/territorial custody, up from 7% in 1986-87. Further, they represented 5% of admissions to federal institutions, up from 2% in 1986-87 (Canadian Centre for Justice Statistics, Adult Correctional Services Survey, 1986-87 to 1997-98). Since females comprise a relatively small proportion of the inmate population, accommodations and program planning may be more of a challenge than for male inmates. A better understanding of the characteristics of female inmates can help program planners and policy makers decide how to best utilize limited budgets to address the needs of this population. As well, it may help identify areas for prevention, which could reduce the incidence of females committing offences

On Snapshot day, females accounted for 5% of inmates onregister in Canadian correctional facilities (1,807 women out of 37,541 inmates). In provincial/territorial facilities, 7% of the inmates were women, whereas in federal facilities, less than 2% of the inmates were women. Within individual jurisdictions, Alberta had the highest proportion of females accounting for 10% of the total inmate population.

### Accommodations for female and male inmates differed

As illustrated in Table 1, in provincial/territorial facilities, the largest proportion of both males and females were accommodated in

### Measures of Correctional Activity: Admissions and Inmate Counts

Admission data are collected when the offender enters the institution or community service program. While admission data describe and measure the changing caseflow of correctional agencies overtime, these data do not indicate the number of individuals using correctional services. A person can be included several times in annual admission totals.

Inmate counts are used to describe the number of inmates imprisoned or serving a sentence in the community at a given point in time. Correctional officers perform daily counts of inmates in the facility. For example, on Snapshot Day, inmates serving a life sentence comprised 18% of the total federal inmate population. In correctional systems the daily population is affected by the sentence lengths associated with the admissions. Therefore, offenders with longer sentences are over-represented in the population, whereas inmates with shorter sentences are under-represented.

either maximum or multi-level security facilities. However, females were more likely than males to be housed in maximum-security facilities. Almost one-half of female inmates (46%) serving time in provincial/territorial facilities on Snapshot day were housed in maximum-security institutions, compared to 39% of male inmates. A further one-third (35%) of females were accommodated in multi-level facilities. The largest proportion of males were in multi-level facilities (41%). This might be because of the lack and variety of institutions available for females in Canada<sup>5</sup>.

In 1996 on Snapshot day there were 73 provincial/territorial correctional facilities which could accommodate female inmates. Of those, only 10 were designated as female only facilities.

### Women's Federal Correctional Facilities

In 1989, a Task Force recommended the establishment of four regional facilities and a Healing Lodge (for Aboriginal female inmates) to replace the Prison for Women. The majority of women receiving federal sentences would be accommodated in one of these regional facilities, normally the facility closest to their home. As well, an arrangement could be made with the province to provide accommodation for women under provincial sentence. In addition, an Exchange of Service Agreement had been negotiated between CSC and the Burnaby Correctional Centre for Women (BCCW). The BCCW (a provincial facility) has some unique programs, which federally sentenced women have been able to access since its opening in 1990.

In 1996, five new regional facilities were established for federally sentenced women. These include: the Edmonton Institute, Nava Institute, Grand Valley, OKIMAW Healing Lodge and the Joliet Institute for Women. Prior to 1996, federally sentenced women were either housed in the Prison for Women (Kingston, Ontario), in provincial/territorial institutions under Exchange of Service Agreements, or were on conditional release in the community. Because they were few in numbers, they were generally incarcerated away from their families and home communities. As well, the range of programming available to them was limited.

The design of the regional facilities is such that there is basically one type of accommodation - community living houses (in the One Day Snapshot survey these facilities were reported as multi-level facilities). However, there are differences in the degree of liberty of movement within the facility accorded to each inmate, which is linked to behaviour rather than sentence or offence. Before assigning a security and management level, the system takes into consideration all available information including the results of the initial needs assessment, identification of the program requirements for each inmate and the information provided by the community. Inmates are classified as minimum, medium or maximum-security.

A Security Management System for the new regional facilities was approved in April 1995. This system provided guidelines governing daily management, participation in programs and activities, and freedom of movement inside the facility. The System focuses on the majority of the federally-sentenced women population rather than the few who persistently use violence and aggression. It contains six management levels, of which five are related to security classification and one is used exclusively for admission status.

The approach of the new regional facilities is more holistic and community-oriented with an emphasis on utilization and integration of existing community services when and wherever feasible. Some programs developed and offered within the facility may be open to the community, particularly in the absence of community counterparts.

(Correctional Service of Canada, 1992; 1995a; 1995b)

The federal picture is quite different, with the majority of female inmates (86%) accommodated in multi-level facilities. In contrast, the largest proportion of male inmates were in medium-security facilities (64%).

Table 1

### Distribution of Female and Male Inmates by Security Level

| Security Level  | Provincial/                | Territorial                | Correctional Ser           | ctional Service Canada   |  |  |
|---|----------------------------|----------------------------|----------------------------|--------------------------|--|--|
|   | Males                      | Females                    | Males                      | Females                  |  |  |
|   | %                          | )                          |                            | %                        |  |  |
| Minimum<br>Medium<br>Maximum <sup>1</sup><br>Multi-level<br>Total | 8<br>13<br>39<br>41<br>100 | 13<br>7<br>46<br>35<br>100 | 14<br>64<br>20<br>2<br>100 | 6<br>8<br>-<br>86<br>100 |  |  |

Nil or zero

Note: Total may not add to 100% due to rounding.

Source: The Canadian Centre for Justice Statistics: A One Day Snapshot of Inmates in Canada's Adult Correctional Facilities Survey (1996).

At the provincial/territorial level, a higher proportion of female (57%) than male (43%) inmates were housed in shared accommodations (i.e., double-bunked, cottage or dormitory). However, in federal facilities, 94% of females were housed in single accommodations compared to 72% of male inmates.

Female inmates were less likely to be segregated than male inmates. In jurisdictions that reported data<sup>6</sup>, 3% of the females were in segregation on Snapshot day compared to 6% of males. At both the provincial/territorial and federal level the proportion of males in segregation was double the proportion of females (5% versus 2% in provincial/territorial facilities; 6% versus 3% in federal facilities).

### Female inmates were less likely than males to be incarcerated for crimes against the person

Upon examining the most serious offence<sup>7</sup> for which inmates were incarcerated on Snapshot day, there were some areas where female and male inmates differed (see Table 2). Results indicated that a smaller proportion of incarcerated females than males were convicted of crimes against the person in both provincial/territorial (28% versus 34%) and federal (64% versus 74%) facilities.

The most serious offence for the largest proportion of females in provincial/territorial facilities, was a property crime or "other"

Although there were 0% of women in maximum security facilities, this does not mean that there were no women in maximum security facilities.

<sup>&</sup>lt;sup>6</sup> Segregation data were provided by Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, Quebec, Manitoba, Yukon, the Northwest Territories, and CSC. The use of segregation takes into account reasons such as protective custody, observation, disciplinary dispositions, and safety and security of inmates and staff

<sup>7</sup> The most serious offence is based on the Seriousness Index of the Revised Uniform Crime Reporting (UCR) Survey Violation Coding Structure that defines seriousness in terms of length of maximum sentence and the degree of injury or threat of injury to the victim. Offences are grouped into the following major offence categories: Crimes Against the Person, Property Offences, and Other Criminal Code and Federal Statute Offences.

### Distribution of Offence Types<sup>1</sup>

|  |                 |                                | Crimes Against the Person |                    |        |          |                    |          | Property Crimes |         |         |               | Other Criminal Code (CC) / Federal Statutes |                     |                         |                                 |                  |                        |          |
|--|-----------------|--------------------------------|---------------------------|--------------------|--------|----------|--------------------|----------|-----------------|---------|---------|---------------|---|---------------------|-------------------------|---------------------------------|------------------|------------------------|----------|
|  | # of<br>Inmates | Homicide/<br>Attempt<br>Murder | Sexual<br>Assault         | Serious<br>Assault |        | Robbery  | Other T<br>Violent | OTAL     | B & E           | Theft   |         | Other Toperty | OTAL  | Weapons<br>Offences | Admin.<br>of<br>Justice | Impaired<br>Driving<br>Offences | Drug<br>Offences | Other T<br>CC /<br>Fed | OTAL     |
| Gender<br>Correctional Services<br>Canada <sup>2</sup>                           |                 |                                |                           |                    | %      |          |                    |          |                 |         | %       |               |   |                     |                         | %                               |                  |                        |          |
| Males<br>Females   | 13,619<br>210   | 24<br>37                       | 14                        | 4<br>10            |        | 24<br>13 | 7<br>3             | 74<br>64 | 12              | 1 4     | ww.     | 2             | 15<br>7                                     |                     | w m                     | 1                               | 8<br>27          | 2                      | 11<br>29 |
| Provinces/Territories3   |                 | 31                             | '                         | 10                 | _      | 10       | J                  | 04       | _               | *       |         |               | - 1   |                     |                         |                                 | 21               |                        | 23       |
| Males<br>Females   | 20,537<br>1,484 | 3<br>5                         | 7<br>2                    | 6<br>6             | 6      | 9<br>9   | 3<br>2             | 34<br>28 | 19<br>8         | 7<br>12 | 3<br>10 | 6<br>5        | 35<br>36                                    | 3<br>2              | 3<br>4                  | 6<br>5                          | 9<br>13          | 10<br>13               | 31<br>36 |
| Aboriginal Status<br>Correctional Services<br>Canada <sup>2</sup>                |                 |                                |                           |                    |        |          |                    |          |                 |         |         |               |   |                     |                         |                                 |                  |                        |          |
| Non-Aboriginal<br>Aboriginal<br>Provinces/Territories <sup>4</sup>               | 11,865<br>1,964 |                                | 12<br>20                  | 3<br>10            |        | 25<br>21 | 8                  | 72<br>79 | 12<br>13        | 1       |         | 2             | 15<br>16                                    |                     |                         | 1                               | 9                | 3<br>1                 | 13<br>5  |
| Non-Aboriginal<br>Aboriginal   | 17,721<br>4,144 | 4                              | 6<br>9                    | 5<br>12            | 5<br>8 | 9<br>8   | 3<br>2             | 31<br>42 | 18<br>17        | 7<br>8  | 4 2     | 6<br>6        | 35<br>34                                    | 3<br>2              | 3 4                     | 6<br>6                          | 10<br>6          | 11<br>7                | 33<br>24 |
| Inmates Serving Life<br>Sentence<br>Correctional Services<br>Canada <sup>5</sup> |                 |                                |                           |                    |        |          |                    |          |                 |         |         |               |   |                     |                         |                                 |                  |                        |          |
| Lifers<br>Non-Lifers   | 2,432<br>11,387 | 91<br>9                        | 4<br>16                   | 5                  | -      | 1<br>29  | 7                  | 99<br>68 | 1<br>14         | 2       |         | 2             | 1<br>18                                     | 1                   | -                       | 8                               | 10               | 3                      | 13       |

Source: The Canadian Centre for Justice Statistics. A One-Day Snapshot of Inmates in Canada's Adult Correctional Facilities Survey (1996).

Criminal Code/Federal Statute offence (36% each). In contrast, similar proportions of males were convicted for property crimes, crimes against the person, and "other" Criminal Code/Federal Statute offences (35%, 34%, and 31%, respectively). Females were most often convicted for drug-related offences (13%) or theft (12%). Males, on the other hand, were most often convicted for break and enter (19%).

In federal facilities, a smaller proportion of females were convicted for property offences compared to males (7% versus 15%). However, a larger proportion of females were convicted for "other" Criminal Code/Federal Statute offences (29% versus 11%). The largest proportion of females were convicted for homicide/attempted murder (37%) and drug-related offences (27%) as their most serious offence. The largest proportion of males were convicted for homicide/attempted murder and robbery (24% each).

The data also reveal that female inmates were convicted for fewer offences for their current term of imprisonment. In provincial/territorial facilities on Snapshot day, 38% of female inmates had only one current offence compared to one-third of males (33%). The difference was more pronounced in federal facilities where more than one-half of female inmates (55%) compared to one-quarter of males (26%) had only one current offence.

Prior adult convictions give some further insight into the characteristics of female inmates. Female inmates in provincial/ territorial facilities had a less extensive criminal history than male inmates. One-half (50%) of female inmates in provincial/territorial facilities had no or one prior adult conviction, compared to 36% of male inmates. Of further interest, the proportion of males with five or more previous convictions was almost double that of female inmates (21% compared to 12%). Prior conviction data were not available for federal inmates.

Consistent with having fewer and less serious offences, female inmates had shorter aggregate sentences than male inmates. An offender can be convicted of multiple charges in a single court disposition, or in several court dispositions. In such cases, the judge may order that the various prison sentences be served either consecutively to (following) or concurrently with (at the same time as) one another. The "aggregate sentence" is the total time for all sentences that the offender must serve in the institution. As illustrated in Figure 1, one-half (51%) of females in provincial/territorial facilities were serving aggregate sentences of less than six months compared to 44% of males. The median aggregate sentence length for females in provincial/territorial facilities was 153 days (approximately five months) compared to 184 days (approximately six months) for males. The median aggregate sentence length for females in federal facilities was 1,643 days (approximately 41/2 years) compared to 1,796 days (5 years) for males (See Figure 2).

Amount too small to be expressed

Based on the current most serious offence.

Missing data for 33 inmates (<1%).

Missing data for 1,658 inmates (7%).

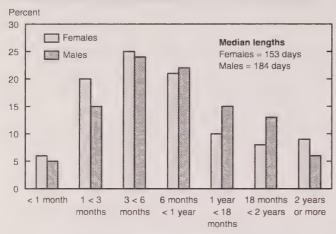
Missing data for 1,814 inmates (7%).

Missing data for 10 inmates (<1%).

Note: Total may not add to 100% due to rounding.

Figure 1

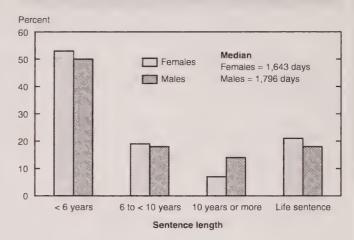
### Distribution of Aggregate Sentence Length for On-Register Inmates in Adult Provincial/Territorial Correctional Facilities



Sentence length

#### Figure 2

### Distribution of Aggregate Sentence Length for On-Register Inmates in Adult Federal Correctional Facilities



# Female inmates tended to be between 25-34 years of age, unattached, with grade 9 education or less, and unemployed

As shown in Table 3, the largest proportion of female inmates in both provincial/territorial and federal facilities were between 25 and 34 years of age (43% and 40%, respectively). The median age for females was 32 in provincial/territorial facilities and 33 in federal facilities. In provincial/territorial facilities, females were slightly older than male inmates (median age of 32 versus 31), whereas they were slightly younger in federal facilities (33 versus 34).

As also illustrated in Table 3, female inmates were overrepresented among Aboriginal inmates. On Snapshot day in provincial/territorial facilities, Aboriginal female inmates accounted for almost one-quarter (23%) of the female inmate population, whereas Aboriginal males accounted for 18% of the male inmate population. This was similar in federal facilities -Aboriginal female inmates accounted for 20% of the female inmate population, whereas Aboriginal males accounted for 14% of the male inmate population.

Past research on female offenders has shown that women inmates are more likely to be unattached (including single, divorced, separated or widowed) than males (Boritch, 1997; Johnson, 1986). The data from the One-Day Snapshot partially support these findings. In federal facilities, a larger proportion of females than males were unattached at the time of admission (69% versus 58%). However, the same proportion of females

and males in provincial/territorial facilities were unattached (76% each). It should be noted that these data refer to marital status at time of admission to the facility, so it is possible that during the sentence marital status will change.

Both female and male inmates had fairly low educational levels compared to the total population of Canada<sup>8</sup>. Approximately one-third of female and male inmates in provincial/territorial facilities had a grade nine education or less (35% and 34%, respectively). This was the case for an even larger proportion of those in federal facilities - about one-half of female and male inmates (48% and 46%, respectively). In Canada, in 1996, 19% of adults had a grade nine education or less.

A substantially greater proportion of female than male inmates were unemployed at the time of admission to the correctional facility. For those inmates for which information was available<sup>9</sup>, 64% of female inmates in provincial/territorial facilities and 80% of females in federal facilities were unemployed at the time of admission, compared to 43% and 54%, respectively of male inmates. In comparison, 10% of adults (males and females) in Canada in 1996 were unemployed<sup>10</sup>.

Beducation data were not available for British Columbia and Yukon, and for 64% of CSC inmates.

Employment data were not available for Quebec and Ontario, and for 81% of CSC inmates.

<sup>10</sup> Percent unemployed refers to those not employed and seeking work. It does not include those who report that they would like work, but who have stopped searching because they believe no work is available.

### Selected Characteristics of Female Inmates

|                                  | Con                    | Provincial/Territorial |                  |                        |                  |                    |
|----------------------------------|------------------------|------------------------|------------------|------------------------|------------------|--------------------|
|                                  | # of Inmates           | Males                  | Females          | # of<br>Inmates        | Males            | Females            |
| 40514                            |                        | %                      |                  |                        | %                |                    |
| AGE <sup>1,2</sup><br>18-24      | 1,825                  | 13                     | 17               | 6,131                  | 26               | 18                 |
| 25-34                            | 5,322                  | 38                     | 40               | 8,916                  | 37               |                    |
| 35-44                            | 4,075                  | 29                     | 30               | 5,897                  | 25               | 27                 |
| 45-54                            | 1,833                  | 13                     | 10               | 1,979                  | 8                | 43<br>27<br>8<br>2 |
| 55 +                             | 805                    | 6                      | 2                | 718                    | 3                |                    |
| Total                            | 13,860                 | 100                    | 100              | 23,641                 | 100              | 100                |
| ABORIGINAL STATUS <sup>3</sup>   |                        |                        |                  |                        |                  |                    |
| Non-Aboriginal                   | 11,891                 | 86                     | 80               | 19,216                 | 82               | 77                 |
| Aboriginal<br>Total              | 1,971<br><b>13,862</b> | 14<br><b>100</b>       | 20<br><b>100</b> | 4,277<br><b>23,493</b> | 18<br><b>100</b> | 23<br><b>100</b>   |
|                                  | 13,002                 | 100                    | 100              | 23,433                 | 100              | 100                |
| MARITAL STATUS <sup>4,5</sup>    | 5.000                  |                        | 0.4              | 4.405                  | 0.4              | 0.4                |
| Married<br>Single                | 5,629<br>6,378         | 41<br>46               | 31<br>52         | 4,435<br>11,901        | 24<br>64         | 24                 |
| Separated, Divorced or Widowed   | 1,686                  | 12                     | 17               | 2,345                  | 12               | 56<br>20           |
| Total                            | 13,693                 | 100                    | 100              | 18,681                 | 100              | 100                |
| EDUCATION <sup>6 7</sup>         |                        |                        |                  |                        |                  |                    |
| Grade 9 or less                  | 2,294                  | 46                     | 48               | 6.798                  | 34               | 35                 |
| Grade 10-11                      | 1,464                  | 29                     | 28               | 7,701                  | 39               | 25<br>30           |
| Grade 12 or higher               | 1,244                  | 25                     | 25               | 5,403                  | 27               |                    |
| Total                            | 5,002                  | 100                    | 100              | 19,902                 | 100              | 100                |
| EMPLOYMENT STATUS <sup>8,9</sup> |                        |                        |                  |                        |                  |                    |
| Unemployed                       | 1,118                  | 54                     | 80               | 4,979                  | 43               | 64                 |
| Employed                         | 1,484                  | 46                     | 20               | 4,025                  | 57               | 36                 |
| Total                            | 2,602                  | 100                    | 100              | 9,004                  | 100              | 100                |

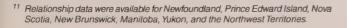
Data for 1 inmate in Correctional Service Canada under 18 was excluded from analysis (<1%)

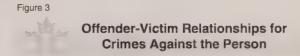
Source: The Canadian Centre for Justice Statistics. A One-Day Snapshot of Inmates in Canada's Adult Correctional Facilities Survey (1996).

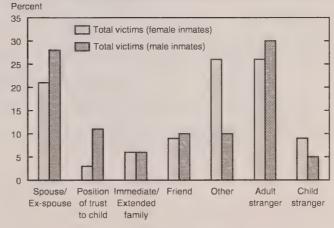
### Offender-victim relationships are different for female and male inmates

The nature of the relationship between the offender and the victim is often not well-documented in inmate case files, and correctional statistics are sparse. The Snapshot survey examined the offender-victim relationship for up to three victims for the most serious offence in the inmate's current offence record. Relationship data were only available from seven jurisdictions<sup>11</sup>. In this review, the offender-victim relationship is only examined for crimes against the person because for many other offences a larger proportion of relationship information was not known.

For female inmates with crimes against the person, the victim was most often known to the offender. The largest proportion of victims were in "other" relationships such as a boyfriend/girlfriend or acquaintances (26%) or spouse/ex-spouse (21%) (Figure 3). One-quarter (26%) of victims were adult strangers to the offender, and 9% were child strangers. Compared to male inmates, female inmates were less likely to have victimized a spouse, ex-spouse







Relationship to offender

Data were missing for 23 Provincial/Territorial inmates in the Gender analysis (<1%), 207 Provincial/Territorial inmates in the Aboriginal analysis (1%) and data for 15 Provincial/Territorial inmates under the age of 18 were excluded from analyses.

Data were missing for 166 Provincial/Territorial inmates (1%).

Data were missing for 169 inmates in Correctional Service Canada (1%).

Data were missing for 4,998 Provincial/Territorial inmates (21%).

Data were missing for 8,660 immates in Correctional Service Canada (64%).

Data were missing for 3,777 Provincial/Territorial inmates (16%).

Data were missing for 11,242 inmates in Correctional Service Canada (81%).

Data were missing for 14,441 Provincial/Territorial inmates (62%).

or a known child. For male inmates the largest proportion of victims that were known were a spouse or ex-spouse (28%).

Female inmates were classified as being a lower risk to engage in future criminal activity than male inmates. Female inmates had higher needs than males on most dimensions in provincial/territorial facilities and lower needs than males in federal facilities

A set of criminal history and need indicators were collected for the inmate populations in eight jurisdictions<sup>12</sup>.

As illustrated in Figure 4, female inmates in both provincial/ territorial and federal facilities were classified as lower risk to reoffend than males. Less than one-half (44%) of provincial/
territorial female inmates compared to 49% of male inmates were classified as high risk. The difference was more pronounced for inmates in federal facilities. Just over one-quarter (28%) of female inmates, compared to 59% of male inmates, were classified as high risk.

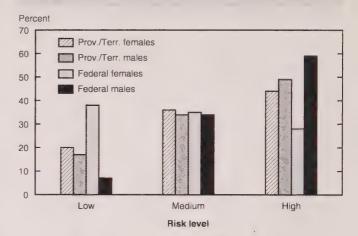
Risk refers to the probability that an offender will engage in criminal behaviour in the future. Well-established methods for assessing level of risk for offenders rely on a combination of criminal history indicators (e.g., previous convictions, prior failure on supervision) and "need" factors (e.g., substance abuse problems, employment instability).

Risk analysis is one method for informing correctional administrators on how they can best focus their efforts. It points to which offenders may need the greatest or least level of support, intervention or supervision in order to reduce the chances of re-offending. Risk analysis is integrated with other information about offence history and the personal circumstances of the offender. It provides a useful and well-validated starting point for making important decisions about the management of offender populations.

Figure 5

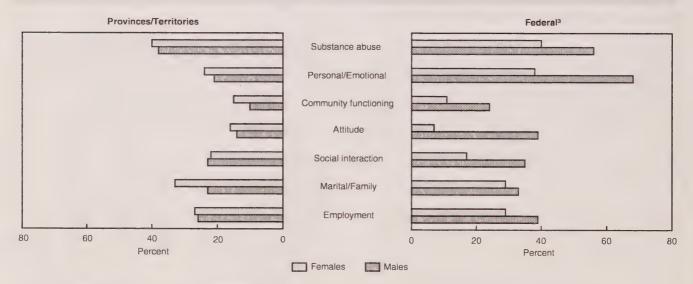
Figure 4

### Distribution of Risk by Gender: Provincial/Territorial and Federal Facilities



In terms of needs, female inmates in provincial/territorial facilities who reported needs data were rated as having slightly higher needs than male inmates on all need dimensions, except social interaction (Figure 5). Female inmates demonstrated the highest needs in the areas of substance abuse (40%) and marital/family (33%).

### Distribution of Assessed High Needs by Gender<sup>1, 2</sup>



<sup>&</sup>lt;sup>1</sup> Data were available for Nfld., N.S., N.B., P.E.I., Manitoba, Yukon and N.W.T.

Risk/needs data were available from Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, Manitoba, Yukon, the Northwest Territories, and Correctional Service Canada. Although data were collected for Ontario, they are not included in the overall analysis because they were based on a different instrument and may not be comparable. In addition, risk data collected for CSC may not be directly comparable with other jurisdictions. It should be noted that risk assessments are not completed on all immates (i.e., remand immates are excluded, as are some sentenced immates - typically those serving short sentences).

<sup>&</sup>lt;sup>2</sup> Data were available from Ontario but were excluded because the rating method used to assess need levels was distinct from the other jurisdictions.

<sup>&</sup>lt;sup>3</sup> Data were missing for 1,738 inmates in Correctional Service Canada (13%).

Among federal inmates, a smaller proportion of females than males exhibited high levels of need on all need dimensions (Figure 5). Females were recorded as having the highest needs in the areas of substance abuse (40%) and personal/emotional needs (38%). The greatest difference between female and male inmates was in the area of attitude. Only 7% of female inmates were rated as high need in this area compared to 39% of males.

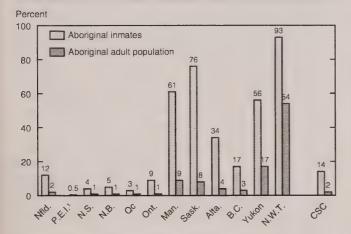
## CHARACTERISTICS OF ABORIGINAL INMATES

The over-representation of Aboriginal offenders in correctional facilities continues to be a major issue for government, justice officials and Aboriginal people generally. Over the last few years, the proportion of Aboriginal offenders admitted to custody has not changed substantially. In 1997-98, while Aboriginal persons comprised 2% of the adult population, Aboriginal persons made up 15% of admissions to adult provincial/territorial institutions (down from 19% in 1988-89) and 17% of federal admissions (up from 13% in 1988-89) (Canadian Centre for Justice Statistics, Adult Correctional Services Survey, 1988-89 to 1997-98).

Data from the One-Day Snapshot support research findings that typically show an over-representation of Aboriginal peoples in the justice system. Aboriginal persons accounted for 17% of the inmates on Snapshot day. In provincial/territorial facilities, Aboriginal persons accounted for 18% of the inmates, while in federal facilities they accounted for 14%. As illustrated in Figure 6, in all jurisdictions the proportion of Aboriginal inmates was substantially larger than the proportion of Aboriginal persons in the population.

Figure 6

#### **Distribution of Aboriginal Inmates**



<sup>&</sup>lt;sup>1</sup> Number of Aboriginal inmates too small to be expressed.

Aboriginal inmates serving provincial/territorial sentences tended to be housed in maximum or multi-level security facilities, while Aboriginal inmates serving federal sentences tended to be housed in medium security facilities

On Snapshot day, the largest proportion of Aboriginal inmates in provincial/territorial facilities were accommodated in either maximum security or multi-level security facilities (35% each). This was also the case for non-Aboriginal inmates (40% and 41%, respectively). Conversely, a larger proportion of Aboriginal than non-Aboriginal inmates were accommodated in medium (18% versus 11%) or minimum (12% versus 8%) security facilities. Of those serving federal sentences, the largest proportion of Aboriginal inmates were accommodated in medium security facilities (74%). This was true to a lesser extent for non-Aboriginal inmates (62%).

In addition, at the provincial/territorial level, a larger proportion of Aboriginal than non-Aboriginal inmates were segregated from the rest of the inmate population (11% versus 4%). There were no differences in segregation between Aboriginal and non-Aboriginal inmates within federal facilities (6%). In provincial/territorial facilities 13, almost three-quarters (74%) of Aboriginal inmates were housed in double or shared accommodations compared to two-thirds (65%) of non-Aboriginal inmates. In federal facilities, there was little difference in accommodations between Aboriginal and non-Aboriginal inmates.

## Aboriginal inmates were incarcerated for assault offences more often than non-Aboriginal inmates

Aboriginal and non-Aboriginal inmates in provincial/territorial and federal facilities were convicted for similar types of offences. However, as illustrated in Table 2, a larger proportion of Aboriginal inmates were convicted of crimes against the person compared to non-Aboriginal inmates (42% versus 31% within provincial/territorial facilities; 79% versus 72% within federal facilities). In particular, a larger proportion of Aboriginal than non-Aboriginal inmates were convicted for assault. Among provincial/territorial inmates, slightly larger proportions of Aboriginal than non-Aboriginal inmates were convicted of serious assault (12% versus 5%), minor assault (8% versus 5%) and sexual assault (9% versus 6%). Among federal inmates, a larger proportion of Aboriginal than non-Aboriginal inmates were convicted of serious assault (10% versus 3%) and sexual assault (20% versus 12%).

Criminal histories of Aboriginal and non-Aboriginal inmates serving provincial/territorial sentences demonstrate some similarities<sup>14</sup>. Larger proportions of Aboriginal than non-

<sup>&</sup>lt;sup>13</sup> Data on type of accommodation were available from Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, Manitoba, Yukon and the Northwest Territories

<sup>&</sup>lt;sup>14</sup> Full criminal history data were available for Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, Manitoba, and Yukon. Ontario, Quebec, and the Northwest Territories were able to provide some criminal history data.

#### Selected Characteristics of Aboriginal and Non-Aboriginal Inmates



<sup>&</sup>lt;sup>1</sup> Data not available from B.C. and Yukon (Provinces/Territories).

Aboriginal inmates had two or more previous adult convictions (74% versus 62%), prior provincial/territorial incarcerations (77% versus 72%), and escape/attempt escape (9% versus 6%). However, slightly larger proportions of non-Aboriginal inmates had failed probation (24% versus 21%).

## Aboriginal inmates were younger, had less education, and were more likely unemployed than non-Aboriginal inmates

As illustrated in Figure 7, Aboriginal inmates tended to be younger than non-Aboriginal inmates. Almost three-quarters (73%) of provincial/territorial Aboriginal inmates were less than 35 years of age, compared to 61% of non-Aboriginal inmates. The median age for Aboriginal inmates was 29 compared to 32 for non-Aboriginal inmates. At the federal level, almost two-thirds (63%) of Aboriginal inmates were less than 35, compared to about one-half (49%) of non-Aboriginal inmates. The median age for federally incarcerated Aboriginal inmates was 31 compared to 35 for non-Aboriginal inmates.

Aboriginal inmates had lower levels of education than non-Aboriginal inmates <sup>15</sup>. At the time of admission to the correctional facility, almost one-half (48%) of Aboriginal inmates in provincial/territorial facilities had a grade nine education or less, compared to less than one-third (31%) of non-Aboriginal inmates. In federal facilities, more than one-half (56%) of Aboriginal inmates had a grade nine education or less, compared to 43% of non-Aboriginal inmates. The proportion of Aboriginal inmates with a grade nine education or less was more than twice that of Aboriginal persons in the Canadian population (20%), and almost four times that of the general population (12%) (Statistics Canada, 1996).

A larger proportion of Aboriginal than non-Aboriginal inmates were unemployed 16. Seventy percent of Aboriginal inmates in provincial/territorial facilities, and 53% of Aboriginal inmates in federal facilities, were unemployed at time of admission to the facility. In comparison, less than one-half of non-Aboriginal inmates were unemployed (47% provincial/territorial and 40% federal). This also reflects what was happening in the general population for Aboriginal persons, that is, higher rates of unemployment for Aboriginal compared to non-Aboriginal persons. Based on the 1996 Census, the unemployment rate was 24% for Aboriginal persons in Canada, compared to 10% for all persons in the population (Statistics Canada, 1996).

## Aboriginal inmates were incarcerated slightly more often than non-Aboriginal inmates for victimizing a spouse/ex-spouse or a friend

Based on those jurisdictions that were able to provide data on the offender-victim relationship for instances of crimes against the person<sup>17</sup>, a slightly larger proportion of victims of Aboriginal than non-Aboriginal inmates knew the offender (70% versus 66%). As illustrated in Figure 8, the largest proportion of victims of Aboriginal inmates were a spouse or ex-spouse (31%),

<sup>&</sup>lt;sup>2</sup> Data not available from Ontario and Quebec (Provinces/Territories).

<sup>15</sup> Education data were not available for British Columbia and Yukon, and for 64% of CSC inmates.

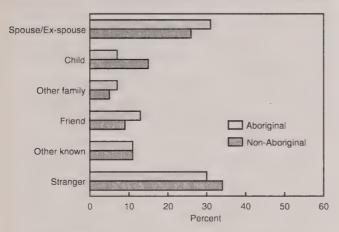
Employment data were not available for Quebec and Ontario, and for 81% of CSC inmates. Percent unemployed refers to those not employed and seeking work at the time of admission. It does not include those who report that they would like work, but who have stopped searching because they believe no work is available.

<sup>17</sup> Relationship data were available for Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, Manitoba, Yukon, and the Northwest Territories.

followed by strangers (30%), and friends (13%). The largest proportion of victims of non-Aboriginal inmates were strangers (34%), followed by spouses/ex-spouses (26%), and their child or a child in trust (15%).

Figure 8

### Offender-Victim Relationships for Aboriginal and Non-Aboriginal Inmates<sup>1</sup>



<sup>&</sup>lt;sup>1</sup> Data were available from Nfld., NS., NB., Manitoba, Yukon and NWT.

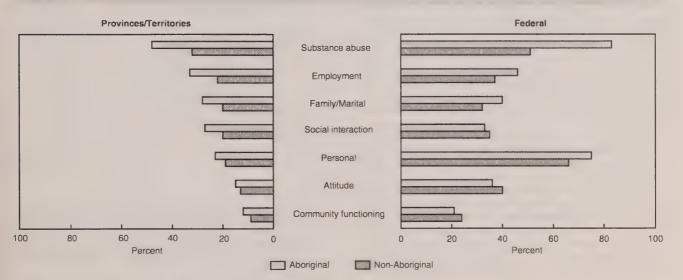
## Aboriginal inmates were considered higher risk to re-offend and had higher needs than non-Aboriginal inmates

As discussed earlier, a set of risk and need indicators were collected for the inmate populations in eight jurisdictions <sup>18</sup>. Based on data received, a larger proportion of Aboriginal than non-Aboriginal inmates were classified as high risk to re-offend. In provincial/territorial facilities, 57% of Aboriginal inmates were classified as high risk, compared to 44% of non-Aboriginal inmates. Similarly, in federal facilities, 69% of Aboriginal inmates were classified as high risk, compared to 57% of non-Aboriginal inmates.

Aboriginal inmates also were classified as having higher needs than non-Aboriginal inmates on most dimensions (Figure 9). In provincial/territorial facilities, Aboriginal inmates scored higher on all need dimensions. In particular, they were classified as having high needs on substance abuse (48% of Aboriginal inmates compared to 32% of non-Aboriginal inmates) and employment (33% versus 22%). At the federal level, Aboriginal inmates scored higher on four of the seven dimensions. These included substance abuse (83% compared to 51% of non-Aboriginal inmates), personal needs (75% versus 66%), employment (46% versus 37%), and family/marital needs (40% versus 32%).

Figure 9

### Distribution of Assessed High Needs – Aboriginal and Non-Aboriginal Inmates<sup>1</sup>



<sup>&</sup>lt;sup>1</sup> Data were available from Nfld., NS., NB., Manitoba, Yukon, NWT and CSC.

<sup>&</sup>lt;sup>18</sup> Risk/needs data were available from Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, Manitoba, Yukon, the Northwest Territories, and Correctional Service Canada. Although data were collected for Ontario, they are not included in the overall analysis because they were based on a different instrument and may not be comparable. In addition, risk data collected for CSC may not be directly comparable with other jurisdictions.

### CHARACTERISTICS OF OFFENDERS SERVING A LIFE SENTENCE<sup>19</sup>

There are many issues associated with offenders serving life sentences including aging, program availability and planning, security, and segregation. Inmates serving a life sentence or "lifers" comprise a relatively small proportion of annual adult admissions. In 1997-98, "lifers" accounted for 4.3% of sentenced admissions to federal facilities. This is up slightly from 3.6% in 1986-87 (Canadian Centre for Justice Statistics, Adult Correctional Services Survey, 1986-87 to 1997-1998).

However, on Snapshot day, inmates serving a life sentence comprised 18% (2,433) of the total federal inmate population<sup>20</sup>. The proportion of inmates serving a life sentence in federal correctional facilities in Canada varied by region. The distribution of lifers as a proportion of all inmates was the largest in British Columbia where 28% of all federal inmates were serving a life sentence. The range in the remaining federal facilities was between 7% in Nova Scotia and 21% in Ontario.

# Inmates serving a life sentence were more likely accommodated in maximum-security facilities and in single accommodations than inmates who were not serving a life sentence

On Snapshot day, the largest proportion of both lifers and nonlifers were accommodated in medium security facilities (55% and 65%, respectively). However, a larger proportion of lifers than non-lifers were accommodated in maximum security facilities. More than one-quarter (27%) of lifers were in maximum security facilities compared to 18% of non-lifers.

A greater proportion of lifers than non-lifers were housed in single accommodations. Of inmates serving a life sentence, nine out of ten (89%) were housed in single accommodations compared to two-thirds (69%) of non-lifers.

Some of the types of crimes that typically receive a life sentence include first-degree/capital murder, second-degree/non-capital murder, manslaughter, and attempted murder. One might expect that some of these individuals may be segregated either for the protection of the other inmates or for their own protection. In fact, data from the Snapshot indicate that lifers were no more likely than non-lifers to be segregated from the rest of the inmate population. Of all inmates who were serving a life sentence, 5% were segregated from the total inmate population on Snapshot day, compared to 6% of non-lifers.

## Lifers were incarcerated for fewer but more serious offences than non-lifers

On Snapshot day, more than one-half of lifers (55%) were currently incarcerated for only one offence compared to 20% of inmates not serving a life sentence. However, almost all inmates serving a life sentence (99%) compared to just over two-thirds (68%) of non-lifers had a crime against the person as their most serious offence (see Table 2). The remaining 1% of lifers were incarcerated for property offences, specifically break and enter.

#### Lifers were generally older, and more likely to be non-Aboriginal, single, less educated, and employed on admission than other inmates

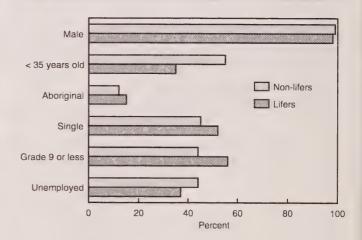
As shown in Figure 10, individuals serving life sentences tended to be older than non-lifers. Whereas over one-half (55%) of non-lifers were between the ages of 18 and 34, only one-third of lifers (35%) were in that age range. On Snapshot day, the median age for lifers was 39 compared to 33 for non-lifers.

The over-representation of Aboriginal persons is an ongoing issue in correctional institutions with policy makers and program planners. However, the Snapshot data revealed that there was a slightly lower proportion of Aboriginal inmates among non-lifers (12%) compared to the proportion of Aboriginal inmates among lifers (14%).

A larger proportion of lifers than non-lifers were single. More than one-half (52%) of inmates serving a life sentence were single compared to 45% of non-lifers. Finally, among those inmates for which information was available<sup>21</sup>, lifers had lower levels of education, but were less likely to be unemployed, than non-lifers. Over one-half (56%) of lifers had a grade nine education or less compared to 44% of non-lifers. But, 37% of lifers were unemployed at the time of admission to custody compared to 43% of non-lifers. However, both lifers and non-lifers had substantially higher percentages of unemployment than did the adult population in Canada in 1996 (10%) (Statistics Canada, 1996).

Figure 10

#### Selected Characteristics of Lifers and Non-Lifers



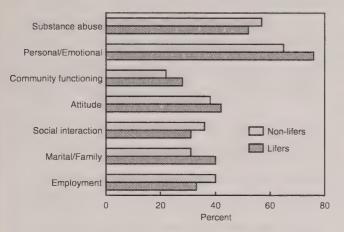
<sup>&</sup>lt;sup>19</sup> Under section 745 of the Criminal Code of Canada, a person is given a life sentence if they have been convicted of (a) high treason, first degree murder, (b) second degree murder and have previously been convicted of culpable homicide that is murder, or (c) second degree murder. Parole eligibility varies from minimum ten years served to minimum 25 years served.

The larger proportion inmates serving a life sentence compared to the annual adult admissions is a result of the fact that once a "lifer" is admitted they are serving a life sentence.

<sup>21</sup> Education data were not available for 64% of CSC inmates and employment data were not available for 81% of CSC inmates. Percent unemployed refers to those not employed and seeking work. It does not include those who report that they would like work, but who have stopped searching because they believe no work is available.

Figure 11

#### Distribution of Assessed High Needs – Lifers and Non-Lifers<sup>1</sup>



<sup>1</sup> Data were missing for 1,738 inmates in Correctional Service Canada (13%).

## Managing Long-Term Inmates in Minimum-Security Institutions

The following is an example of a project to manage long-term inmates.

Ste-Anne-des-Plaines a federal minimum-security institution in Quebec set up a support program for long-term inmates (10 or more years). Inmates are transferred there toward the end of their sentence. The objectives of the program are:

- to actively encourage inmates to take part in social and personal skill development activities (for example to serve as a mentor for other inmates who may be experiencing specific problems);
- to involve inmates in the management of their sentence (with emphasis on sobriety, literacy and participation in volunteer projects);
- to encourage exchanges between inmates and staff (to develop a relationship of mutual trust through the participation of staff in activities organized for inmates in the program as well as increased opportunities for inmates in the program to act as representatives to the administration); and
- to harmonize relations among the inmate population (the presence of long-term inmates within the institution encourages a stabilizing influence on the general prison population. They hold leadership positions, and represent the institution on special activities).

(Aubertin, 1992)

#### Lifers were classified as higher risk to re-offend and had higher needs on dimensions of personal/ emotional, community functioning, attitude and marital/family than non-lifers

A much larger proportion of lifers were classified as high risk to re-offend, compared to non-lifers (84% versus 53%). Further,

looking at the needs assessment for lifers<sup>22</sup>, data from the Snapshot indicate that lifers had higher needs than non-lifers on four of the seven need dimensions (Figure 11). They had higher needs than non-lifers on the personal/emotional, community functioning, attitude and marital/family dimensions.

#### SUMMARY

This study provides a profile of female inmates, Aboriginal inmates, and inmates serving life sentences in provincial/territorial and federal correctional facilities. In summary, this research has explored inmate characteristics such as martial status, education and employment, offences, sentence length and accommodations. The findings in this report illustrate the potential uses of the Snapshot data. This type of data on onregister inmates in federal and provincial/territorial facilities is useful for policy decision makers and provides new information to the public regarding the corrections population. Further research in this area could examine remand inmates, intermittent sentences, and programs for high and low risk inmates.

### **METHODOLOGY**

This *Juristat* used data primarily from the One-Day Snapshot of Inmates in Adult Correctional Facilities. Other data sources include: the 1996 Census of population, the Adult Correctional Services (ACS) survey, and the Uniform Crime Reporting (UCR) Survey.

The One-Day Snapshot was conducted on Saturday, October 5<sup>th</sup>, 1996. A Saturday was chosen in order to include inmates serving intermittent sentences (please refer to text box in introduction). In light of resource limitations at local levels, data for the risk and needs assessment components of the survey could not be produced for Quebec, Saskatchewan, Alberta, and British Columbia. Further, although risk and need data were collected for Ontario, they were not included in the analyses because data comparable with other jurisdictions were not collected in all categories. Risk and need data were available for CSC inmates; however since a different scoring method was used, the data may not be comparable to other jurisdictions.

Analysis on the "most serious offence" is based on the Seriousness Index of the Revised Uniform Crime Reporting (UCR) Survey Violation Coding Structure. The UCR coding structure defines seriousness in terms of length of maximum sentence and the degree of injury or threat to the victim represented by the offence. Offences are grouped into the following major offence categories (based on UCR categories): (1) Crimes Against the person (including homicide/attempt murder, sexual assault, serious assault, minor assault, robbery, and other violent); (2) Property offences (including break and enter, theft, fraud, and other property); and, (3) Other Criminal Code and federal statute offences, impaired driving offences, drug offences, and other Criminal Code/federal statute offences).

<sup>&</sup>lt;sup>22</sup> Refer to the text box in the section on female inmates for a description of risk and needs.

1996 Census of Population: is the periodical collection of the characteristics of the Canadian population. Census Day is usually the first Tuesday in June and is taken every five years. The information provided by individuals is used to develop aggregate or anonymized information. Some of the indicators measured include age, sex, marital status, ethnic origin, nationality, language, religion and education.

The Adult Correctional Services (ACS) Survey: collects aggregate data concerning custodial and non-custodial services provided to adults (18 years and over) in provincial, territorial and federal jurisdictions across Canada. Caseload, case characteristics and revenues, expenditures and personnel (REP) data are collected in addition to basic qualitative information, which describes the organization and delivery of correctional services.

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### **CANADA'S SHELTERS FOR ABUSED WOMEN**

By Cathy Trainor\*

## **Highlights**

- In 1997-1998, 90,792 women and dependent children were admitted to 413 shelters for battered women across Canada.
- In a snapshot taken on April 20, 1998, there were 6,115 residents in 422 shelters: 48% were women and 52% were dependent children. Almost three-quarters of these children were under 10 years old.
- 77% (2,260) of women in shelters on April 20, 1998 were victims of abuse and the remainder were admitted for reasons other than abuse such as housing problems.
- The majority of shelters offered the following in-house services to women residents: individual short term counselling (91%), advocacy (87%), parenting skills (82%), and housing referral (82%).
- Services offered to resident children include indoor and outdoor recreational spaces (80%), individual counselling (75%), group counselling (53%) and programs for children who have witnessed or experienced violence (53%).
- On April 20, 1998, 407 shelters reported that they had received 3,590 requests for various services from non-residents and ex-residents.<sup>1</sup>
- Facilities reported providing an average of 41 outreach hours per week. Outreach work included supplying information, accompanying victims to court, meeting with clients to discuss possibilities/options, and participating in drop-in centres.
- The operating costs reported by 411 shelters in 1997-1998 were \$170 million.







<sup>1</sup> A non-resident was someone who had never resided in a shelter but was receiving services, while an ex-resident was someone who had resided in a shelter in the past and was receiving follow-up services.

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June 1999 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

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#### Introduction

During the last thirty years, the issue of family violence, particularly against women and children, has been the subject of increased public awareness and concern. Along with this concern has been an increased effort by communities and governments to provide assistance to victims. Investments by Canada Mortgage and Housing Corporation (CMHC), provincial/territorial governments and communities have resulted in the development of a substantial system of shelters for battered women in Canada (SPR Associates Inc., 1997).<sup>2</sup> Currently, residential services, or shelters, for abused women and their children seeking refuge from violence are available in every province and territory. These facilities provide not only a secure and safe environment but also various services for residents and for abused women in the larger community.

#### Types of shelters

The term shelter is used broadly to refer to all residential facilities for abused women and their dependent children. The types of shelters are defined for the Transition Home Survey as:

Transition Home – Short or moderate term (1 day to 11 weeks) first stage emergency housing.

**Second Stage Housing** – Long-term (3-12 months) secure housing with support and referral services designed to assist women while they search for permanent housing.

**Safe Home Network** – A network of private homes in rural or remote areas where there is no full-fledged operating shelter. It offers subsidiary very short-term (1-3 days) emergency housing.

Women's Emergency Centre/Shelter – Short-term (1-21 days) respite (temporary relief) for women and their dependent children.

Emergency Shelter – Short-term (1-3 days) respite for a wide population range, not exclusively abused women. Some facilities may provide accommodation for men as well as women. This type of facility may accommodate residents who are not associated with family violence but are without a home due to an emergency situation (e.g., eviction for non-payment of rent). Other than residential (room and board) services, these shelters offer few additional client services.

Family Resource Centre – An Ontario government initiative that serves a wide range of clients and provides clients with an extensive array of information and referrals as well as residential services.

Other – All other facilities/shelters not otherwise classified. This category may include Rural Family Violence Prevention Centres in Alberta, Interim Housing in Manitoba, and other types of emergency shelters. These services may not be exclusive to abused women.

The number of shelters in Canada has been steadily increasing since the 1970's with capital funding assistance for shelters provided by CMHC under the non-profit housing programs of the National Housing Act, and operating funding from provincial and territorial programs (SPR Associates Inc., 1997). CMHC's capital financing role continued with Project Haven, a program that was delivered in close collaboration and partnership with provincial/territorial governments, Department of Indian Affairs and Northern Development (DIAND) and community agencies. This program spent \$22 million between 1988 and 1992 to establish or add transition homes with special priority in communities that had no transition homes (such as rural or remote areas and on reserves), and in shelters for immigrant women and women with disabilities (Canada Mortgage and Housing Corporation, 1994).

There are currently no shelters in Canada that provide residential services exclusively to adult male victims of family violence.

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Between 1992 and 1995, CMHC's Next Step Program funded the creation of 34 second stage housing projects and 23 first stage shelters across Canada. Second stage housing financing was targeted at communities where first stage shelters existed but women needed secure housing for a longer period as they searched for permanent housing in the community. Since 1996, CMHC's Shelter Enhancement Program has funded repairs and improvements to existing shelters as well as provided capital funds for 17 additional first and second stage shelters, including 10 new shelters in First Nations communities in partnership with First Nations and DIAND. Some provinces have delivered the Shelter Enhancement Program and have contributed additional capital funding to enhance the financing available to shelters in their jurisdictions.

In addition to the efforts of federal agencies, there are many provincial and territorial programs that provide services and alternatives for women who have experienced family violence. These programs include expenditures for the on-going operation and maintenance of shelters, counselling and prevention programs, legal services and public awareness programs.

This *Juristat* presents the results of the 1997-1998 Transition Home Survey through an examination of the characteristics of shelters and their residents. The Transition Home Survey was conducted through a questionnaire mailed to all known shelters identified as providing residential services to abused women and their children. Out of the 470 shelters contacted, 430 or 91% responded to the survey (Table 1). Information was collected on the characteristics of the facilities and the services dispensed during the previous twelve months. The survey also provides a one-day snapshot of the characteristics of women and children residing in the shelters on April 20, 1998

Shelters for abused women: Number operating and responding to the Transition Home Survey, 1997-1998

|                       | Number operating | Number that responded | %   |
|-----------------------|------------------|-----------------------|-----|
| Canada                | 470              | 430                   | 91  |
| Newfoundland          | 11               | 11                    | 100 |
| Prince Edward Island  | 4                | 4                     | 100 |
| Nova Scotia           | 20               | 19                    | 95  |
| New Brunswick         | 16               | 16                    | 100 |
| Quebec                | 105              | 97                    | 92  |
| Ontario               | 129              | 116                   | 90  |
| Manitoba              | 25               | 24                    | 96  |
| Saskatchewan          | 21               | 20                    | 95  |
| Alberta               | 32               | 25                    | 78  |
| British Columbia      | 93               | 86                    | 92  |
| Yukon                 | 5                | 5                     | 100 |
| Northwest Territories | 9                | 7                     | 78  |

Source: Transition Home Survey, 1997-1998, Canadian Centre for Justice Statistics, Statistics Canada.

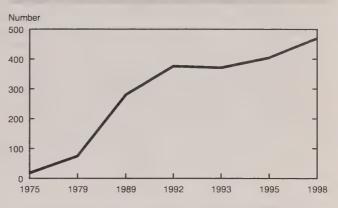
### A Profile of Facilities

#### Number of shelters for women growing

On April 20, 1998, there were 470 shelters for abused women across Canada. Of these, only 18 existed prior to 1975 and 57 began operations between 1975 and 1979 (Figure 1).

Figure 1

#### Growth in Canadian shelters



Source: Transition Home Survey, Canadian Centre for Justice Statistics, Statistics Canada.

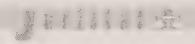
The largest period of growth came in the 1980's as the issues of violence against women and family violence gained attention at all levels of government (Rodgers and MacDonald, 1994; Pottie Bunge and Levett, 1998). Much of the growth between 1989 and 1998 was due to the development of shelters in Aboriginal communities and in rural areas. In 1998, 46% of shelters served rural areas (and may also have served urban/suburban areas) and 29% provided services to reserves.

Almost two-thirds (270) of reporting shelters in 1998 were transition homes. The remaining 160 shelters included 63 second stage housing facilities, 26 emergency shelters, 25 women's emergency centres, 21 safe home networks, 12 family resource centres (Ontario only) and 13 other types of facilities. Transition homes were the predominant type of emergency housing offered in all provinces and territories, except Prince Edward Island where three out of the four shelters were second stage housing, and Alberta where women's emergency centres accounted for almost one-third of all facilities followed closely by transition homes (28%).<sup>3</sup>

#### Extensive variety of services offered

In addition to providing refuge, the majority of shelters offer a variety of services. The services provided depend to a large extent on available funding and can vary with the availability of services in the larger community. More than nine in ten

This may be influenced by the fact that, in Alberta, a relatively large proportion (22%) of facilities did not respond to the survey and for these, the type of facility was unknown.



facilities (91%) provided in-house, individual, short-term counselling to women residents. Other in-house services included advocacy (87%), parenting skills (82%) and housing referral (82%) (Table 2). More than six in ten facilities (61%) provided services for women with disabilities, while nearly six in ten shelters had culturally sensitive services for Aboriginal women<sup>4</sup> (59%) and ethno-cultural and visible minority residents<sup>5</sup> (57%).

Many shelters were accessible to women with disabilities, as they had complete or partial access for wheelchairs (64%), services for the hearing impaired (33%) which include telephone devices such as TDD/TTY or sign language services, and services for the visually impaired (13%) such as braille and large print material.

Table 2

## In-house services\* provided by shelters to women residents, ex-residents and non-residents, 1997-1998

In-house services provided by shelters to:

|  | Residents | Non-<br>residents | Ex-<br>residents |
|--|-----------|-------------------|------------------|
|  |           | %                 |                  |
| Individual short-term counselling                            | 91        | 70                | 77               |
| Individual long-term counselling                             | 34        | 35                | 41               |
| Group counselling  | 71        | 49                | 55               |
| Family counselling programs                                  | 13        | 8                 | 10               |
| Crisis telephone line  | 60        | 74                | 71               |
| Medical services   | 55        | 34                | 38               |
| Legal services   | 75        | 57                | 62               |
| Financial assistance/welfare                                 | 72        | 49                | 54               |
| Life skills  | 75        | 35                | 46               |
| Job training/employment search                               | 25        | 12                | 17               |
| Parenting skills   | 82        | 40                | 56               |
| Housing referral Culturally sensitive services for           | 82        | 49                | 55               |
| Aboriginal women<br>Culturally sensitive services for ethno- | 59        | 43                | 45               |
| cultural and visible minority women                          | 57        | 40                | 43               |
| Services for women with disabilities                         | 61        | 38                | 39               |
| Recreation services  | 48        | 15                | 23               |
| Advocacy   | 87        | 66                | 73               |
| Other  | 23        | . 18              | 18               |

<sup>\*</sup> Service reported as a percentage of 430 responding facilities.

Source: Transition Home Survey, 1997-1998, Canadian Centre for Justice Statistics, Statistics Canada.

In-house services for children most often included indoor and outdoor recreation spaces (80%), individual counselling (75%), group counselling (53%) and programs for children who have witnessed or experienced abuse (53%).

Shelters also provided outreach assistance to women in the community who are in need of advice or assistance through a 24-hour crisis telephone line (74%), individual short-term counselling (70%), advocacy (66%), and legal services (57%). The majority of facilities also provided ex-resident women with services such as individual short-term counselling (77%), advocacy (73%), a 24-hour crisis telephone line (71%), legal services (62%) and parenting skills (56%) (Table 2).

Services to ex-residents and non-residents are made through telephone, letter, fax or walk-in contact. On April 20, 1998, 407 shelters had a total of 3,590 requests for assistance including 659 contacts for assistance with residential services, 2,621 contacts for non-residential services, and 310 contacts for other reasons. Shelters spent an average of 41 hours per week providing outreach activities in the community. Outreach work included supplying information, accompanying victims to court, meeting with clients to discuss possibilities/options, and participating in drop-in centres.

Shelters also rely on other agencies within the community, often working together in multi-agency co-ordinating committees, to provide services to their residents. The majority of facilities were able to obtain services in the community for their residents in the areas of job training or employment search (65%), legal services (63%), financial assistance or welfare (61%), medical services (58%), and individual long-term counselling (57%).

#### Number of admissions

An admission is the official acceptance of a woman or child into a shelter with the allocation of a bed. From April 1, 1997 to March 31, 1998,<sup>6</sup> there were 90,792 admissions to the 413 facilities that responded to the survey question: 47,962 women and 42,830 children (Table 3). A person may be accepted

Table 3

## Admissions to shelters by province and territory, 1997-1998

|                       | Admissions* |        |          |
|-----------------------|-------------|--------|----------|
|                       | Total       | Women  | Children |
| Canada                | 90,792      | 47,962 | 42,830   |
| Newfoundland          | 1,095       | 669    | 426      |
| Prince Edward Island  | 220         | 93     | 127      |
| Nova Scotia           | 4,178       | 3,009  | 1,169    |
| New Brunswick         | 2,500       | 1,292  | 1,208    |
| Quebec                | 16,494      | 9,232  | 7,262    |
| Ontario               | 28,712      | 15,257 | 13,455   |
| Manitoba              | 5,660       | 2,336  | 3,324    |
| Saskatchewan          | 4,092       | 1,662  | 2,430    |
| Alberta               | 8,773       | 4,128  | 4,645    |
| British Columbia      | 16,704      | 9,158  | 7,546    |
| Yukon                 | 602         | 330    | 272      |
| Northwest Territories | 1,762       | 796    | 966      |

\* A person may be accepted more than once during the reporting period.

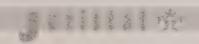
Source: Transition Home Survey, 1997-1998, Canadian Centre for Justice Statistics,

Statistics Canada.

<sup>4</sup> Culturally sensitive services for Aboriginal women were such services as recognition of traditional healing methods, use of spiritual elders and teachers, accessibility to language interpreters and Aboriginal language materials, and recognition and understanding of Aboriginal cultural norms and beliefs.

<sup>&</sup>lt;sup>5</sup> Culturally sensitive services for ethno-cultural and visible minority women include accessibility to language interpreters, resource materials in various languages, and counsellors who are familiar with immigration issues and parenting styles in different cultures.

<sup>6</sup> The precise reporting period may vary. Shelters were asked to provide information for the twelve month period ending March 31, 1998 or their own twelve month fiscal period.



#### How to get help

Most communities have services for individuals who have been abused. These organizations will provide abused persons with information and support. Recommended steps for taking action and getting help include the following:

- 1) **Keep yourself and your children safe.** This may mean leaving the situation, moving out, or setting limits on what you will put up with. Have an escape plan ready if the violence starts again.
- 2) Refuse to take blame for the abuse. The abuser made the choice to act violently. You are not responsible for this behaviour.
- Call a friend or family member you trust. Call someone who is supportive and understands that violence is never okay or justifiable.
- 4) Call a shelter or crisis line. Their telephone numbers are at the beginning of the telephone book. A shelter can provide safety, support and help with your future plans. Moving to a shelter is not the only option. You can also obtain advice from a counsellor over the phone.
- 5) Call the police. Telephone numbers for the police are at the beginning of the telephone book.
- 6) **Join a support group.** Sharing experiences with others often helps victims to realize that they are not alone. These groups can be extremely useful in helping abused people find ways to protect themselves and to deal with the situation.
- 7) See a counsellor. Counselling can provide an opportunity to learn about the impact that the abuse has had on you and to discuss options.

Several of these steps for taking action and getting help are also appropriate for male victims of family violence. Many large urban centres across Canada have private practitioners that offer support groups for abused men or have men's organizations that can direct individuals to available services.

Sources: Health Canada (1995), Canadian Association of Broadcasters (1996), The Denise House/Sedna Women's Shelter (1997), Nova Scotia Advisory Council on the Status of Women (1997), Government of Newfoundland and Labrador (1998).

more than once during the year. CMHC found that approximately 18% of women who had stayed in first stage shelters established by Project Haven had stayed more than once during a twelve month period (CMHC, 1994). In addition, women move from first to second stage shelters. The Next Step Program evaluation found that over 70% of second stage housing facilities gave priority to women coming from an emergency or first stage shelter. Also, more than 90% of the women in second stage housing have stayed at a first stage shelter at some point before they go into second stage housing, although not necessarily in the same twelve month period because of waiting lists (SPR Associates Inc., 1997).

The majority of admissions (73%) were to transition homes followed by emergency shelters (10%) and women's emergency centres (10%). Second stage housing, safe home networks, family resource centres and other types of facilities accounted for the remaining 7% of admissions. There are two main reasons for the higher number of admissions to transition homes. First, there are a greater number of transition homes than any other facility type, and second, the length of stay in transition homes is shorter, ranging from 1 day to 11 weeks compared with 3 to 12 months in second stage housing.

## A Profile of Residents on April 20, 1998

#### Women coming to shelters to flee abusive situations

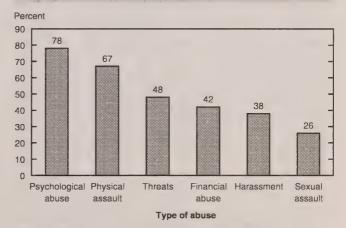
In a snapshot taken on April 20, 1998, the 422 shelters that provided data had 6,115 residents: 2,918 women and 3,197 accompanying children. Nearly eighty percent of the women and children living in shelters that day were there to escape abuse. These women were escaping from psychological

abuse (78%), physical assault (67%), threats (48%), and sexual assault (26%) (Figure 2). Non-abuse admissions for both women and children generally resulted from housing problems (almost three-quarters of those women admitted for reasons unrelated to abuse).

The majority of abused women who are admitted to shelters bring children. Data from a one-day snapshot of shelters across Canada show that the numbers of both battered women and children accompanying them to shelters increased from 1993

Figure 2

#### Women in shelters by type of abuse, April 20, 1998



Note: Figures do not add to 100% due to multiple responses.

Source: Transition Home Survey, 1997-1998, Canadian Centre for Justice Statistics, Statistics Canada.

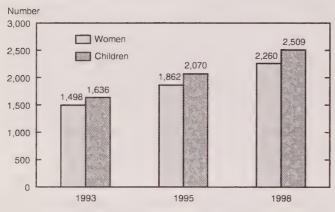
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to 1998 (Figure 3). This increase may be explained by the increased availability of shelters over the same time period.

Overall, the rate of abused women in shelters on April 20, 1998 was 18.2 per 100,000 women (aged 15 and over) in the population (Table 4). Rates in the provinces ranged from a low of 12.2 in Alberta to a high of 25.4 in Prince Edward Island. Rates in the territories were much higher with Yukon at 42.9

Figure 3

## Number of abused women and their children residing in shelters\* increasing



<sup>\*</sup> Figure represents residents on snapshot day. Residents for reasons of non-abuse are not included in this figure. The primary reason for a non-abuse admission is a housing problem.

Source: Transition Home Survey, 1992-1993, 1994-1995, 1997-1998, Canadian Centre for Justice Statistics, Statistics Canada.

Table 4

## Rate of women admitted for reasons of abuse per 100,000 adult women in the population,<sup>1</sup> April 20, 1998

|                       | Resident<br>women | Number of<br>women in the | Rate per<br>100,000 |
|-----------------------|-------------------|---------------------------|---------------------|
|                       | Wolliell          | population 15+            | women               |
| Canada                | 2,260             | 12,385,623                | 18.2                |
| Newfoundland          | 34                | 224,633                   | 15.1                |
| Prince Edward Island  | 14                | 55,190                    | 25.4                |
| Nova Scotia           | 92                | 390,707                   | 23.5                |
| New Brunswick         | 70                | 311,169                   | 22.5                |
| Quebec                | 471               | 3,053,342                 | 15.4                |
| Ontario               | 915               | 4,671,122                 | 19.6                |
| Manitoba              | 97                | 456,011                   | 21.3                |
| Saskatchewan          | 102               | 404,010                   | 25.2                |
| Alberta               | 139               | 1,137,578                 | 12.2                |
| British Columbia      | 289               | 1,648,249                 | 17.5                |
| Yukon                 | 5                 | 11,656                    | 42.9                |
| Northwest Territories | 32                | 21,956                    | 145.7               |

Rates are calculated based on 100,000 population. The population estimates are provided by Statistics Canada, Census and Demographic Statistics, Demography Division. Populations as of July 1: updated postcensal estimates for 1998.
Source: Transition Home Survey, 1997-1998, Canadian Centre for Justice Statistics,

and Northwest Territories at 145.7 per 100,000 women. The difference in rates is not necessarily a reflection of differences in the incidence of abuse, but is affected by the number of responding shelters, population density and the availability of shelters in each province and territory.

The vast majority of abused women in shelters on April 20, 1998 were seeking shelter from someone with whom they had an intimate relationship (85%). Thirty-six percent of abused women indicated that their spouse was the abuser, 32% of women were abused by a common-law partner, 12% of women were abused by a former spouse or partner, and 5% were abused by a current or ex-boyfriend. A further 8% were abused by others (relative, friend, caregiver, authority figure and other) while for 8% of women, the shelter could not specify the relationship.

#### Few young women in shelters

According to Statistics Canada's 1993 Violence Against Women Survey, the highest rate of spousal assault was reported by women 18-24 years of age (12% of women in this age group) and rates declined by age to only 1% of women 45 years of age and over. According to the Transition Home Survey, the largest proportion of abused women residing in shelters on April 20, 1998 were aged 25-34 (36%) with only 19% aged 15-24. Women aged 35-44 (26%) were the second largest group. Women aged 45 and over were the least likely to use shelters as they accounted for only 12%, not surprising given their low reported rates of spousal assault (age was unknown for 7% of women). Calculated as a rate per 100,000 women (aged 15 and over) in the population, women in the age group 25-34 were the most likely to use shelters with a rate of 36.5, compared to 22.4 for those 35-44, and 21.8 for women aged 15-24. Women who were 45 years of age and over had the lowest rate at 4.9 per 100,000 women.

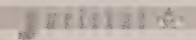
#### Majority of women take their children to shelters

On April 20, 1998, 56% of all women escaping abusive situations were admitted with children, 18% came to a shelter without any of their children, and 20% had no children. For 5% of women, it was not known whether they had children. There are a variety of reasons that women may not bring their children to shelters. For example, some may be old enough to live on their own, older children may stay in the family home because of schooling issues, and older children (especially males) may not be eligible to stay in some shelters. However, of those abused women who reported having children, 76% brought children to the shelter.

The total number of dependent children accompanying their mothers to shelters was almost evenly split between boys (47%) and girls (50%) (sex was not specified for 3%). Almost half (43%) of all children admitted because of abuse were under 5 years of age and an additional 30% were aged 5-9. Those aged 10-15 made up 18%, while the smallest group (3%) was aged 16 and over. For 7% of children, the age was not known.

Almost 30% of all women living in shelters for reasons of abuse on April 20, 1998 were also protecting their children from abuse: 28% from psychological abuse, 14% from physical

Statistics Canada



#### **Children Witnessing Violence**

Witnessing violence can encompass a wide range of experiences including visually observing violence between parents, hearing violence from another part of the house, or seeing the physical or emotional consequences of the battering of a parent (Jaffe, Wolfe & Wilson, 1990). In addition, there is evidence that that if children witness physical violence toward their mother, they will also witness a considerable amount of psychological abuse, including verbal abuse, belittling and threats toward her (Health Canada, 1996).

The prevalence of children who witness violence in the family can be estimated from Statistics Canada's Violence Against Women Survey (VAWS). In 1993, the VAWS indicated that children witnessed violence between their parents in 39% of violent marriages, which amounts to the children from over 1 million families, although some of these children are now adults. Additionally, much of this violence is serious. In 52% of violent relationships in which children witnessed violence, the battered mother feared for her life and in 61% the woman was physically injured by her partner.

According to the Violence Against Women Survey, the presence of children who witness the violence is an important factor in the decision women make to leave and seek the services of a shelter. A total of 78% of women who stayed in shelters indicated that their children had witnessed the violence against them at some point, compared with 39% of all abused women.

Empirical research indicates that the effects on children of witnessing violence between their parents can be serious and long lasting. The children who witness violence between their parents are at increased risk of becoming victims or perpetrators of violence themselves (Health Canada, 1996). The VAWS suggests, for example, that violent men are three times as likely as non-violent men to have witnessed spousal violence in childhood, and women who were raised in similar circumstances were twice as likely to be victims of spousal violence. In addition, these children are at a greater risk of numerous behavioural, emotional and developmental problems (O'Keefe, 1995; Allan, 1991; Jaffe, Wolfe & Wilson, 1990; Egeland, Jacobvitz & Sroufe, 1988). The negative consequences in their emotional and behavioural development can include experiencing symptoms of post-traumatic stress disorder, including fear, anxiety, irritability, difficulty concentrating, intrusive memories of the abuse, anger outbursts and hyperarousal (Lehmann, 1997; Graham-Berman & Levendosky, 1998). They may also experience greatly elevated rates of depression, withdrawal, low self-esteem and other emotional problems. These children also have a much greater risk of behaviour problems, such as aggression and non-compliance with peers and adults, destructive behaviour, and conflict with the law.

Additionally, the education and social skills of children witnessing domestic abuse can be negatively affected, especially for those whose lives are disrupted by moving to a shelter. These children tend to have lowered social skills and school achievement, and to have increased school absences compared to those who come from non-abusive homes (Health Canada, 1996).

assault, 13% from threats, 9% from neglect and 4% from sexual assault.

## Shelter users are a small proportion of abused women

According to Statistics Canada's 1993 telephone survey on Violence Against Women, 29% (2.8 million) of Canadian women who had ever been married or lived with a man in a common-law relationship had been a victim of physical or sexual violence by a partner. A total of 217,000 (8%) had contacted a shelter and 156,000 (6%) had stayed at least once in a shelter for abused women. Thus, 72% of these women who had contacted a shelter had stayed at least once and 28% had contacted shelters for advice or information. Combining this information with Transition Home Survey data that almost 48,000 women used shelters in 1997-1998, this suggests that women's stays in shelters are quite short and that shelter users generally are admitted more than once.

Almost nine out of ten women that had contact with a shelter reported that it had been very or somewhat helpful. When asked by the survey why they did not contact a shelter or social service agency for help, most women said they did not want or need help (40%), the incident was considered too minor (25%), they were unaware of services (16%), or there were no services available (14%). Women for whom counselling or housing services were unavailable numbered almost 295,000.

The Violence Against Women Survey also found that 13% of abused women who left their spouses because of the violence

stayed in a shelter, and that women's use of shelters was strongly associated with the severity of the violence. Over 80% of women who used shelters had suffered an injury at some point during the abusive relationship, compared with 45% of all abused women. In addition, 63% of women who stayed in a shelter had at some point been injured severely enough to seek medical attention, compared to 19% of all abused women. Shelter users were more than twice as likely to have feared for their lives (85%) as all abused women (39%), and were more likely to have taken time off from their everyday activities because of the violence (57% versus 31%).

Also linked to the severity of the violence is the fact that women who used shelters were more likely to turn to the police for assistance or protection. According to the Violence Against Women Survey, 26% of all abused women reported a violent incident to the police at some time during the relationship. The percentage of women who reported to the police was even higher among those women who had ever left their spouses (45%), and higher still among women who had stayed in shelters (82%). In addition, shelter users were more likely than non-shelter users to say their spouses had received counselling (37% versus 20%), to say they had spoken about the incident with a doctor (57% versus 30%), or to say they had contacted another counsellor (43% versus 20%).

According to the Transition Home Survey, 29% of women in shelters for reasons of abuse on April 20, 1998 had reported the most recent incident of abuse to the police. In almost two-thirds of these cases, charges were laid by the police or the crown. Restraining orders were obtained in over half (54%) of the cases reported to the police and in 86% of cases in which charges were laid.

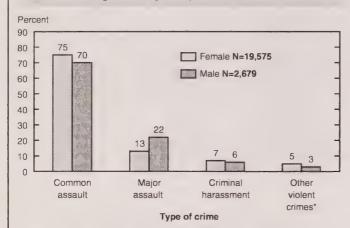


#### Spousal violence reported to the police

Information on spousal violence reported to the police in Canada is available from a sample of 179 police forces, representing 48% of the national volume of crime. There were 22,254 incidents of spousal violence reported to the Revised Uniform Crime Reporting Survey (UCR II) in 1997; 88% involved female victims while 12% involved male victims. The majority of all spousal violence victims were victims of common assault. While women made up a higher percentage of victims in almost every spousal violence offence category (Figure 4), men were more likely than women to be victims of major

Figure 4

## Victims of spousal violence by type of charge laid by the police, Canada, 1997



\* Other violent crimes include crimes such as assault with a weapon, uttering threats, all sexual assault offences, kidnapping, abduction, robbery, homicide and attempts, criminal negligence, and other violations causing death.

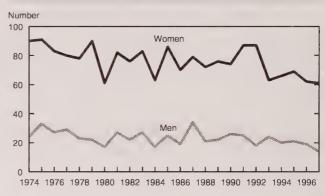
Source: Revised Uniform Crime Reporting Survey (UCR II), Canadian Centre for Justice Statistics, Statistics Canada.

assault (22% versus 13%), primarily because of the high proportionate use of weapons by female offenders (5% versus 14%). However, firearms were seldom used by either men or women. Seventy percent of women were victimized by a current spouse as compared to 66% of men. Men (34%) were slightly more likely than women (30%) to be victimized by an ex-spouse.

Historically, wives have outnumbered husbands as victims of spousal homicides by a ratio of 3:1. Between 1974 and 1997, 1,829 women were killed by their husbands compared to 556 men who were killed by their wives (Figure 5). In 1997, there were 61 women and 14 men killed by a spouse.

Figure 5

## Number of women and men killed by spouses, 1974-1997



Source: Homicide Survey, Canadian Centre for Justice Statistics, Statistics Canada.

For further information, please consult Fitzgerald, R. (1999). Family Violence in Canada: A Statistical Profile, 1999. Ottawa: Canadian Centre for Justice Statistics, Statistics Canada.

## **Revenues and Expenditures**

## Majority of shelters funded by various levels of government

The cost of operating a shelter depends on a multitude of factors including the size of the shelter, the number of admissions, the length of stay, the location (urban/suburban, rural, or reserve), the number of staff required and the services provided. There were 411 shelters that reported their total annual revenues and expenditures. The total combined income of these shelters was \$171 million while the total amount of operating expenditures was \$170 million. The discrepancy between revenues and expenditures may be explained by the fact that 58% of these shelters intended to make physical repairs or improvements in the following fiscal year. Revenues may have been received for these projects late in the 1997-1998 fiscal year with the work and payment for these repairs and improvements set to begin early in the next fiscal year.

Of the 409 shelters that provided detailed revenue breakdowns, 82% of revenues came from government sources. These shelters reported that they had received a total of \$140 million from federal, provincial/territorial, regional, municipal governments and Aboriginal bands. In addition, they received a total of \$30 million from non-governmental sources such as donations, fund raising, provincial/territorial lotteries, resident fees, loans and grants (for major repairs and improvements) and the United Way. Family resource centres and transition homes received the bulk of their funding from government sources (96% and 86%, respectively).

In terms of receiving funding from non-governmental sources, second stage shelters reported the highest percentage of reliance on this source. Thirty-seven percent of revenues reported by second stage shelters were received from non-government sources. Provincial and territorial distributions show that 97% of funding in the Northwest Territories is received from government sources, while shelters in Alberta and Nova Scotia were the most likely to rely on non-government sources (37% and 21% of revenues, respectively).

### **Data Sources**

#### **Transition Home Survey**

The Transition Home Survey was developed under the federal government's Family Violence Initiative in consultation with provincial/territorial governments and transition home associations. The objectives of the survey are to collect information on residential services for abused women and their children during the previous twelve months of operation as well as to provide a one-day snapshot of the clients being served on a specific day. In 1991-1992, Statistics Canada began collecting basic information on transition home services and clientele. The survey was repeated with some changes in 1992-1993, 1994-1995 and 1997-1998.

The Transition Home Survey is a mail-out/mail-back census survey of all residential facilities providing services to abused women and their children. Of the 470 residential facilities providing services to abused women and their children, 430 returned their questionnaires for a response rate of 91%. Separate questionnaires were completed for facilities that had two or more residences under the same name or address.

#### Revised Uniform Crime Reporting Survey (UCR II)

Introduced in 1988, the UCR II captures detailed information on individual criminal incidents reported to police, including characteristics of victims, accused persons and incidents. In 1997, 179 police departments in six provinces reported to the UCR II. The data represent 48% of the national volume of crime, and the reader is cautioned that these data are not nationally representative. The incidents contained in the 1997 Research File are distributed as follows: 41% from Quebec, 33% from Ontario, 11% from Alberta, 8% from British Columbia, 6% from Saskatchewan, and 1% from New Brunswick. Other than Quebec, the data are primarily from urban police departments. Coverage of the survey will continue to grow as more police agencies convert to the UCR II.

#### **Homicide Survey**

The Homicide Survey provides police-reported data on the characteristics of homicide victims, accused persons, as well as incidents. The survey has collected detailed information from the police on all homicides across Canada since 1961. It was revised in 1991 and in 1997, adding new data elements as well as improving existing ones.

#### **Violence Against Women Survey (VAWS)**

In 1993, Statistics Canada conducted the VAWS on behalf of Health Canada. It was conducted by telephone using random digit dialing techniques. A total of 12,300 women aged 18 years and older were interviewed about their experiences of physical and sexual violence since the age of 16, their responses to these experiences, and their perceptions of their personal safety. Responses were weighted to represent the 10.5 million women in the Canadian population. Estimates were made of both twelve-month and adult lifetime rates of violence.

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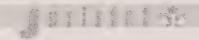
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### **Canadian Centre for Justice Statistics**

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## THE JUSTICE FACTFINDER 1997

Integration and Analysis Program

#### Introduction

Each year, the Canadian Centre for Justice Statistics (CCJS) produces "The Justice Factfinder". This *Juristat* highlights a few of the findings from recent surveys and publications produced by the CCJS. The information is presented in a question-and-answer format and is intended to respond to the types of questions that are frequently asked by the justice community, the media, and members of the public concerning crime and the justice system. Questions to be addressed in this year's issue are:

- Is crime really decreasing?
- Are many people victimized by strangers?
- What kinds of motor vehicles are being stolen?
- How many homes are being broken into?
- Are Canadians satisfied with their police?
- Who is the "typical" police officer?
- Who is victimizing our children?
- How many women and children use the services of family violence shelters?
- What offences do youths commit?
- Are courts "softer" on kids?
- Who is in prison?
- Does parole work?

## Is crime really decreasing?

In Canada in 1997, just over 2.5 million *Criminal Code* incidents were reported to the police. <sup>1</sup> This translates into a crime rate of 8,355 incidents per 100,000 population. The 1997 rate was down 5.4% from the previous year, marking the sixth consecutive annual decrease. Since 1991, the police-reported crime rate has decreased a total of 19% (see Figure 1).

It has been suggested that these decreases in official crime statistics are not "real", but are instead the result of the methods used to measure crime. For example, a recent public opinion survey indicated that 75% of Canadians feel crime is getting worse (Environics, 1998). Many factors can influence the official crime rate, including the tendency of the public to report crimes to the police; reporting by police to the Canadian Centre for Justice Statistics; and changes in legislation, policies or enforcement practices. When, for instance, victims do not report incidents to police, those incidents will not be reflected in official crime statistics. However, the opposite is also true: as the tolerance for certain crimes diminishes (e.g. zero-tolerance policies for violence at schools), reporting to police will increase, driving crime rates upward.

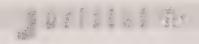
This is based on the Uniform Crime Reporting Survey. Please refer to "Data Sources" for a description of the data sources used in this Juristat.



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June 1999 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

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#### @ Minister of Industry, 1999

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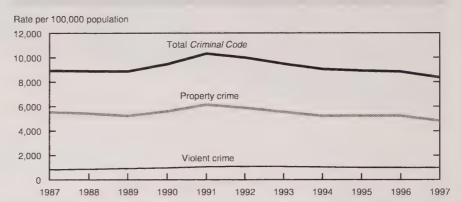
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#### Figure 1

#### **Trends in Police-Reported Crime Incidents**



Source: Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey.

One way to measure the extent of unreported crime is through victimization surveys. These surveys ask a sample of the population about crime experiences and in so doing, they are able to capture information on crimes that have been reported to the police, as well as those that have gone unreported. Results from one such survey also suggest that levels of criminal activity are not increasing. In both 1989 and 1992, the International Crime Victimization Survey (ICVS) reported that 28% of Canadians were victims of at least one crime during the year. The results of the 1996 survey showed that the victimization rate had fallen to 25%.

Related to the issue of reporting are concerns that tighter budgets may be diminishing the ability of some police agencies to respond to and document all incidents reported to them, particularly less serious ones. This would lead to a drop in the rates for less serious offences, but not the serious ones. However, it appears that this is not what is happening - the decreases in rates have applied equally to serious and less serious crimes. The homicide rate, for example, decreased 9% in 1997, reaching its lowest level since 1969. The rate for mischief fell for the sixth consecutive year in 1997, but at 7%, the decline for this relatively minor offence was smaller than the decline in the homicide rate. Overall, rates are down for both violent and property crimes. The violent crime rate was down 1% in 1997, marking the fifth consecutive decrease and the property crime rate decreased 8%, continuing the general decrease started in 1992.<sup>2</sup>

Canada is not the only country that has been experiencing a decline in crime rates. The Federal Bureau of Investigation reported that the indexed crime rate<sup>3</sup> in the United States dropped 4% in 1997. In England and Wales, the crime rate has fallen each year since 1992, including a 9% decline in 1997.

One possible explanation for the falling crime rates in Canada and elsewhere is the aging of the population. Studies of criminal behaviour suggest that young people are at higher risk of criminal activity and that the prevalence of offending increases to a peak in teenage years and then begins to decline (e.g. Gottfredson and Hirschi, 1990). In Canada, the relative size of the "at risk" population is declining. Between 1986 and 1991, the percentage of 15- to 24-year-olds in the Canadian population averaged 15.5%, but dropped to an average of 13.8% between 1992 and 1997. Meanwhile, the percentage of persons in the population aged 65 and older averaged 11.0% from 1986 to 1991 and 11.9% from 1992 to 1997.

It should be noted that these trends are not necessarily consistent across all provinces and territories.

<sup>3</sup> Crimes included in the index are: murder, non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft and arson.

## How many people are victimized by strangers?

Victims of violent<sup>2</sup> crime usually know the perpetrator in some way. According to 1997 data from a sample of police forces, 65% of violent crime victims knew the accused (see Table 1).<sup>5</sup> For 29% of victims, the perpetrator was a family member, while for 36%, the perpetrator was a friend or an acquaintance. For the remaining 35% of victims, the accused was a stranger. The proportion of persons victimized by strangers was about the same for most types of violent offences. The one exception was robbery, with 90% of victims being robbed by a stranger.

In general, females were less likely than males to be victimized by a stranger. Seventy-eight percent (78%) of female victims knew the perpetrator compared with 52% of male victims. Much of this difference was due to the proportion of female victims who were victimized by their spouses (32%) compared to a figure of 5% for male victims victimized by their spouses.

A home was the most common location of violent crime in 1997, but victims of strangers tended to be victimized elsewhere. Forty-six percent (46%) of victims of strangers were victimized in a public area (such as a parking lot or street), 40% were victimized in a commercial place or public institution (such as an office, store or school) and the remaining 14% of victims were victimized in a home. The comparable figures for victims who knew the suspect were 16% victimized in a public area, 20% in a commercial place/public institution and 65% in a home.

## What kinds of motor vehicles are being stolen?

In Canada in 1997, there were 177,286 motor vehicle thefts, the equivalent of approximately 1 theft for every 100 registered vehicles. Motor vehicle thefts accounted for 7% of all *Criminal* 

Code incidents. Following a steady climb of 80% between 1988 and 1996, the rate of motor vehicle thefts decreased 3% in 1997 (to 585 incidents per 100,000 population). This decline in rates was more in keeping with the recent trend in property crime. Since peaking in 1991, the rate of property crime has declined 22%, including an 8% decrease in 1997.

One factor that has contributed to the upward trend in motor vehicle thefts is the growing number of stolen trucks, passenger vans, and sports-utility vehicles. Between 1992 and 1996, the theft rate<sup>6</sup> of these vehicles increased 49% (compared to 8% for all other types of vehicles). In 1997, there was a further increase of 1%. Part of the reason for the increased thefts may be the growing number of these vehicles on the road. From 1992 to 1996, the number of passenger vans doubled and the number of sports-utility vehicles increased by one-third. During the same period, the number of cars increased 1%.

As a result of the increased thefts, trucks, passenger vans, and sports-utility vehicles represented 29% of all stolen motor vehicles in 1997 (see Figure 2), climbing from 22% of the total in 1992. Cars continued to represent the majority of stolen vehicles, at 62% in 1997. Motorcycles represented 3% and other motor vehicles, such as snowmobiles and construction equipment, represented 5% of the total.

Violent offences include any offence that involves the threat or use of violence against a person. Homicide, assault, sexual assault, robbery, and abduction are examples of violent offences.

This is based on data from the Revised Uniform Crime Survey (UCRII). The 1997 data were collected from 179 police departments in six provinces (New Brunswick, Quebec, Ontario, Saskatchewan, Alberta and British Columbia) and represented about 48% of the national volume of crime. The data are primarily from urban police departments and are not nationally representative.

The rate is based on the number of thefts per 100,000 population.

Figures were obtained from the Vehicle Information Centre of Canada (Telephone: 416-445-1883). The figures are based on the number of vehicles that were insured.

Table 1

#### Victim-Accused Relationship by Type of Violent Offence, 1997

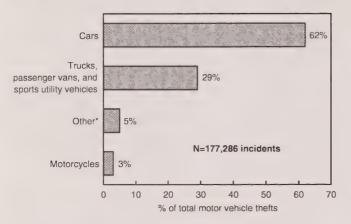
| V' 1 - 1 O''               | Relationship of Accused to Victim |                         |          |       |  |
|----------------------------|-----------------------------------|-------------------------|----------|-------|--|
| Violent Offence            | Family                            | Friend/<br>Acquaintance | Stranger | Total |  |
|                            |                                   | % of vic                | tims     |       |  |
| Homicide                   | 44                                | 30                      | 25       | 100   |  |
| Sexual Assault             | 28                                | 50                      | 22       | 100   |  |
| Major Assault (levels 2&3) | 27                                | 39                      | 34       | 100   |  |
| Common Assault (level 1)   | 37                                | 40                      | 23       | 100   |  |
| Kidnapping/Abduction       | 35                                | 27                      | 38       | 100   |  |
| Robbery                    | 1                                 | 9                       | 90       | 100   |  |
| Other violent              | 23                                | 37                      | 40       | 100   |  |
| Total                      | 29                                | 36                      | 35       | 100   |  |

Figures may not add to totals due to rounding.

Source: Revised Uniform Crime Reporting Survey (UCRII), Canadian Centre for Justice Statistics, Statistics Canada. (The data are from a non-random sample of 179 police agencies in 6 provinces, representing 48% of the national volume of crime.)

Figure 2

#### Types of Motor Vehicles Stolen, 1997



 Other includes snowmobiles, construction equipment and other motorized vehicles.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey.

In 1997, among the nine largest census metropolitan areas (CMAs),<sup>8</sup> Winnipeg reported the highest rate of stolen vehicles (1,352 per 100,000 population), followed by Vancouver (1,137). Québec, Toronto and Edmonton were the only metropolitan areas to report rates lower than the national rate (585). For the 16 smaller CMAs, the highest rate of motor vehicle theft was reported by Regina (1,479), with a rate that was nearly double the second highest rate reported by Sudbury (808). St. John's (134) had the lowest rate among the smaller metropolitan areas, followed by Saint John (149).

## How many homes are being broken into?

According to the 1996 International Crime Victimization Survey, 30% of Canadians were fearful of someone breaking into their home. In Canada in 1997, thieves broke into 233,844 residences, the equivalent of about 1 in 50 homes. Overall, there were 373,355 incidents of breaking and entering (B&E) reported to the police. Residential break-ins represented the majority of those incidents (63%), followed by businesses (27%) and other places, such as schools (10%).

The rate of residential B&E dropped 5% in 1997 (to 772 per 100,000 population), and although the rate increased in 1995 and 1996, overall it has been declining. In 1997, the rate of residential breaking and entering stood 12% below its 1991 peak. The trend in residential B&E has contributed to a decline in the overall trend. In total, the rate of breaking and entering was down 7% in 1997 and 20% from its 1991 high.

Rates of residential breaking and entering varied considerably across the country (see Figure 3). In 1997, Yukon reported the highest rate (1,468 incidents per 100,000 population), a rate that was almost double the national rate; next highest were the rates for Saskatchewan (1,150), the Northwest

Territories (1,074) and British Columbia (1,064). At less than half the national rate, the rate for Prince Edward Island was the lowest (322), followed by Newfoundland (384) and New Brunswick (433).

Figure 3

0

## Rates of Residential Breaking and Entering, 1997

Rate per 100,000 population 1,600 1,468 1.400 1.150 1.200 1.064 1.033 1,000 873 Canada 772 800 553 600 400 200

Our Man. Sask

B.C.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey.

MB. One.

Youths (12 to 17 years old) accounted for a relatively high proportion of those charged with residential breaking and entering. In 1997, out of 26,114 persons who were charged with residential B&E, youths accounted for 42% of the total, while adults (18 years and over) made up the remaining 58%. The figure for youths was quite high in comparison to other offences. For example, youths accounted for 29% of persons charged with theft under \$5,000 and 14% of those charged with common assault.

## Are Canadians satisfied with their police?

According to the 1996 International Crime Victimization Survey (ICVS), among 11 western industrialized countries, Canadians were most satisfied with their police. When asked if the police in their area did a good job at controlling crime, 80% of Canadians responded "yes", surpassing the average of 62% for all 11 countries (see Figure 4). Closely following Canada's result was the United States, where 77% of the population was satisfied with its police. The Netherlands

This represents the proportion of the population who felt the chance of a break-in in the next 12 months was "likely" or "very likely".

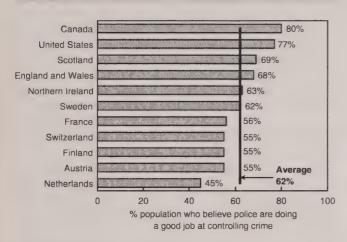
<sup>8</sup> A census metropolitan area (CMA) is an urban core of at least 100,000 population together with neighbouring rural and urban areas with a high level of economic and social integration. The nine largest CMAs that have a population of at least 500,000 are Calgary, Edmonton, Hamilton, Montréal, Ottawa, Québec, Toronto, Vancouver, and Winnipeg. The 16 smallest CMAs have a population of 100,000 to 499,999. These are Chicoutimi-Jonquière, Halifax, Hull, Kitchener, London, Regina, Saint John, Saskatoon, Sherbrooke, St. Catharines/Niagara, St. John's, Sudbury, Thunder Bay, Trois-Rivières, Victoria, and Windsor.

The number of incidents is based on police-reported data from the UCR Survey. The number of households is based on data from Statistics Canada's 1996 Census of Population and Housing (see Catalogue no. 93-357-XPB).

reported the lowest rating for police satisfaction, at 45%. That country also reported the highest level of victimization among the 11 countries, with 32% of the population having been victimized in the previous year.

Figure 4

#### Public Satisfaction with the Police, 1996



Source: International Crime Victimization Survey, 1996.

One factor that appears to contribute to a person's level of satisfaction with police is his or her past victimization experiences. The ICVS showed that individuals who had been victimized in the last five years were less satisfied with police than were non-victims. For Canada, 77% of victims expressed satisfaction with police compared with 85% of non-victims.

## Who is the "typical" police officer?

There were 54,722 police officers<sup>11</sup> in Canada as of June 15, 1998, or about 1 for every 550 Canadians. The majority of officers continue to be men, but women did account for over 12% of officers in 1998. The proportion of female officers has been growing steadily since the mid-1970s when it was less than 1%.

According to information from the 1996 *Census of Population and Housing*, <sup>12</sup> the largest concentration (36%) of police officers was between 35 and 44 years old, followed by 25- to 34-year-olds at 33% and 45- to 54-year-olds at 25%. Female police officers tended to be younger than males. Over two-thirds (68%) of the women were below the age of 35, compared to only 32% of the men. This is not surprising given recent efforts to recruit more women.

Police officers must have a minimum of grade 12 education. <sup>13</sup> In 1996, 81% of police officers had attained levels of education greater than this minimum. The largest proportion of these officers (35%) had a trade/non-university certificate or diploma, while 14% had a university degree. The

remainder (32%) had attended some type of post-secondary institution. As with age, education levels differed between the sexes. Female police officers had higher levels of education overall and were nearly twice as likely to be university graduates. This was true even when age differences were taken into account.

In 1996, visible minorities<sup>14</sup> were under-represented on police forces. These individuals represented 3% of police officers in 1996; however, they accounted for 10% of the employed work force and 11% of the total population. A number of police services have established programs to recruit visible minorities, but so far these efforts have had limited success.

Aboriginal<sup>15</sup> persons were well-represented on police forces in 1996, making up 3% of all police officers compared to 2% of the employed labour force and 3% of the total population. This is partly due to the recent trend of Aboriginal police officers policing their own communities.

### Who is victimizing our children?

In 1997, children under the age of 12 accounted for 7% of all victims of violent crime reported to a sample of police forces. <sup>16</sup> Youths 12 to 17 accounted for 17% of victims, while adults 18 and over accounted for the remaining 76%. The proportion of child victims was actually low in comparison to their representation in the general population. <sup>17</sup> In 1997, children under the age of 12 made up 15% of the Canadian population, while youths accounted for 8% and adults 77% of the population.

Children were much more likely than youths or adults to be victimized by someone they knew. Over 80% of child victims knew the perpetrator, compared to about 65% for both youth and adult victims. Forty percent (40%) of children were victimized by a family member, including 26% who were victimized by a parent, and 41% were victimized by a friend or an acquaintance (see Table 2).

12 The Census of Population and Housing counts persons aged 15 years and older who were employed as police officers (full-time or part-time) in the week prior to Census Day.

13 The minimum for some police forces is higher than grade 12. Also, for the forces that have a minimum requirement of grade 12, preference will often be

given to individuals with a college or university degree.

14 According to the 1996 Census Dictionary, visible minorities "are persons (other than Aboriginal persons), who are non-Caucasian in race or non-white in colour." Groups considered visible minorities include Chinese, South

in colour, Groups considered visible minorities include Chinese, South Asians, Blacks, Arabs and West Asians, Filipinos, Southeast Asians, Latin Americans, Japanese, Koreans and Pacific Islanders.

According to the 1996 Census Dictionary, Aboriginal persons refers to those "who reported identifying with at least one Aboriginal Group, i.e. North American Indian, Métis or Inuit (Eskimo) and/or those who reported being a Treaty Indian or a Registered Indian as defined by the Indian Act of Canada and/or who were members of an Indian Band or First Nation"

16 This is based on data from the UCRII survey (see Data Sources for more information).

17 It must be remembered that incidents involving child and youth victims are often underreported because the victim is in a dependent relationship with the perpetrator and fears the consequences of reporting the incident.

<sup>11</sup> This is based on data collected through the Police Administration Statistics Annual Survey. The number of officers includes permanent, full-time staff. The number of part-time officers is converted to a full-time equivalent.

#### Victim-Accused Relationship by Age of Victim, 1997

| Delationabin of                      | Age of Victim          |                   |                 |       |  |
|--------------------------------------|------------------------|-------------------|-----------------|-------|--|
| Relationship of<br>Accused to Victim | Children<br>(under 12) | Youths<br>(12-17) | Adults<br>(18+) | Total |  |
|                                      |                        | % of victim       | S               |       |  |
| Family (total)                       | 40                     | 15                | 31              | 29    |  |
| Spouse/ex-spouse                     |                        | 2                 | 24              | 19    |  |
| Parent                               | 26                     | 7                 | 1               | 4     |  |
| Other family                         | 14                     | 6                 | 5               | 6     |  |
| Friend or acquaintance               | 41                     | 50                | 33              | 36    |  |
| Stranger                             | 19                     | 36                | 36              | 35    |  |
| Total                                | 100                    | 100               | 100             | 100   |  |

<sup>-</sup> Nil or zero.

Figures may not add to totals due to rounding.

Source: Revised Uniform Crime Reporting Survey (UCRII), Canadian Centre for Justice Statistics, Statistics Canada. (The data are from a non-random sample of 179 police agencies in 6 provinces, representing 48% of the national volume of crime.)

For child victims, the ratio of stranger to non-stranger violence was the same for most violent offences. The offence of homicide was an exception. It is in 1997, there were 64 homicide victims under the age of 12 and almost three-quarters of these children were 5 years of age and under. Police were able to identify a suspect for 60 of the victims. For the vast majority (98%) of them, the suspect was someone known to them, usually a parent. A father was implicated in 48% of the incidents and a mother in 38%.

## How many women and children use the services of family violence shelters?

Over the last thirty years, as the issue of family violence has gained prominence, a system of family violence shelters has been developed across the country. The purpose of these shelters is to help abused women and their children when seeking refuge from the violence taking place in their homes. These shelters also offer a number of services to both residents and non-residents. The types of services vary from shelter to shelter, but often include information services, advocacy, public education or prevention, short-term counselling, parenting skills, housing referrals and crisis telephone lines.

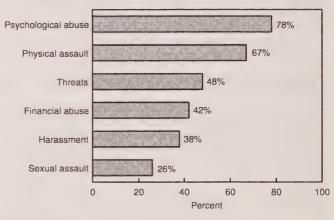
According to the 1997-1998 Transition Home Survey, there were 470 shelters for abused women across Canada in a snapshot taken on April 20, 1998. <sup>20</sup> On that day, there was an average of 15 residents per shelter – 7 women and 8 dependent children. In addition, the shelters received an average of 9 requests for various services from non-resident and ex-resident women on snapshot day. During the entire year, 47,962 women and 42,830 children were admitted to the 413 facilities that responded to the survey question. <sup>21</sup>

On snapshot day, 77% of women who were residing in shelters were there to escape abuse. Most of the remaining women were there because of housing problems. Of those women escaping abuse, 78% were fleeing psychological abuse, 67%

physical assault, 48% threats, 42% financial abuse, 38% harassment and 26% sexual assault (see Figure 5). The majority (56%) of women escaping abusive situations were admitted with children and many of these women admitted that their children were being abused as well. Most abused

Figure 5

### Women in Shelters by Type of Abuse\*



\* This is based on 2,260 women who were in 422 shelters on April 20, 1998 Source: Statistics Canada, Canadian Centre for Justice Statistics, 1997-1998 Transition Home Survey.

<sup>18</sup> Robbery was also an exception, as it was for victims of all ages. Most victims of this offence (90%) were robbed by a stranger, including 77% of child victims.

<sup>19</sup> This information comes from the Homicide Survey, which has full national coverage.

Overall, responses were received from 430 of the 470 shelters. However the number of responses varied from question to question because not all shelters were able to answer all questions.

<sup>21</sup> An admission is the official acceptance of a woman or child into a shelter with the allocation of a bed.

women in shelters (85%) were seeking refuge from someone with whom they had an intimate relationship – a spouse, partner, or boyfriend/ex-boyfriend.

What offences do youths commit?

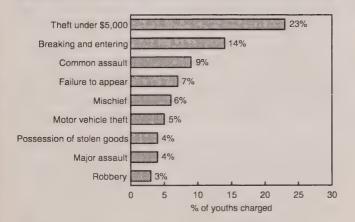
A small proportion of youths are charged by police with a crime. In 1997, there were about 121,000 youths aged 12 to 17 charged with a *Criminal Code* or other federal statute offence, equivalent to about 5% of the youth population. Most of these youths (49%) were charged with a property offence, such as theft, and breaking and entering. Violent offences, including assault and robbery, accounted for a much smaller proportion of youth crime – 18% of charges in 1997. Another 25% of youths were charged with "other" *Criminal Code* offences, such as failure to appear and mischief. Drug and other federal statute offences each accounted for 4% of youths charged.

The distribution of crime types has shifted from a decade earlier when a larger proportion of youths were charged with property crimes (67%) and a smaller proportion were charged with violent (9%), other *Criminal Code* (20%), drug (3%) and other federal statute (1%) offences. An increase in the use of alternative measures programs for youths involved in property offences may have contributed to this change. In some situations, youths are diverted to an alternative measures program before being charged by police. Another factor could be the presence of zero-tolerance-for-violence policies at some schools. Where previously, principals dealt with fighting in school, police are becoming involved more often when such incidents occur.

In 1997, the most common crime among youths was theft (see Figure 6). In total, theft made up 29% of charges, including 23% for theft under \$5,000,<sup>22</sup> 5% for motor vehicle theft and

Figure 6

#### Common Offences of Youths, 1997



Note: The total does not add to 100% because only the most common offences are shown.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey. 1% for theft over \$5,000. Breaking and entering was the second most prevalent offence, representing 14% of all youths charged in 1997.

The most common violent crime among youths was assault. In 1997, youths charged with common or major assault accounted for 13% of all youths charged and 71% of those charged with a violent offence.<sup>23</sup> Almost three-quarters of youths charged with assault, were charged with common assault, the least serious kind. In fact, just over half of youths charged with a violent offence were charged with common assault.

The number of youths charged with homicide is low and represents a very small proportion of overall crime. In 1997, out of the 434 people who were charged with homicide, 54 (12%) of them were youths. The 54 homicide charges represented less than 0.1% of youths charged with a criminal offence in 1997.

### Are courts "softer" on kids?

In Canada, there are separate courts to deal with youths and adults. Youth courts were created with the introduction of the *Young Offenders Act* in 1984 and have special expertise for dealing with young persons aged 12 to 17. Many factors can influence the sentence that is given to an offender, including criminal history, a guilty plea, and demonstration of remorse. Differences in sentences between adults and youths may be partly explained by the longer and more varied criminal histories of adults.

The majority of cases heard in both youth and adult courts result in conviction. In 1997-98, 67% of youth court cases resulted in a finding of guilt.<sup>24</sup> This was higher than the figure for adult courts, where 61% of cases resulted in a conviction.<sup>25</sup>

For most violent and property offences, youths were less likely than adults to be sentenced to custody upon conviction for an offence (see Table 3). For example, in 1997-98 for the offence of common assault, youths were sentenced to custody (either open or secure) in 24% of cases with convictions; for adults, prison was the most serious sentence in 28% of convictions. Similarly for theft, 25% of youth convictions and 35% of adult convictions resulted in a custody sentence. Overall, for both violent and property offences, convicted youths were sentenced to custody in 31% of cases compared to 38% for adults.

<sup>&</sup>lt;sup>22</sup> This is defined as theft of goods valued at \$5,000 or less.

<sup>&</sup>lt;sup>23</sup> Common assault (level 1) includes pushing, slapping, punching, and face-to-face verbal threats. Major assault includes more serious forms of assault, i.e. assault with a weapon or causing bodily harm (level 2) and aggravated assault (level 3).

<sup>&</sup>lt;sup>24</sup> Information on youth court cases comes from the Youth Court Survey (YCS), which has full national coverage. Youth refers to any person between the ages of 12 and 17 at the time of the offence.

Data on adult court cases come from the Adult Criminal Court Survey (ACCS). In 1997-98, the ACCS collected information on cases heard in the provincial/territorial courts of Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon and the Northwest Territories. These jurisdictions account for about 80% of the national caseload. Sentencing information does not include any cases that were transferred to superior courts, which tend to hear more serious cases.



Table 3

### Most Serious Sentence for Youths and Adults, 1997-98

Cases with convictions

|                               | ,                    |           |                    |             |           |                    |
|-------------------------------|----------------------|-----------|--------------------|-------------|-----------|--------------------|
| ffence Type <sup>2</sup>      |                      | Youths    |                    |             | Adults    |                    |
|                               | Custody <sup>3</sup> | Probation | Other <sup>4</sup> | Prison      | Probation | Other <sup>4</sup> |
|                               |                      |           | % of cases with    | convictions |           |                    |
| Violent                       | 31                   | 58        | 11                 | 38          | 50        | 12                 |
| Homicide                      | 70                   | 25        | 5                  | 78          | 13        | 9                  |
| Sexual assault                | 32                   | 62        | 6                  | 55          | 39        | 6                  |
| Major assault (levels 2&3)    | 37                   | 56        | 7                  | 47          | 42        | 11                 |
| Common assault (level 1)      | 24                   | 64        | 12                 | 28          | 58        | 14                 |
| Robbery                       | 51                   | 43        | 6                  | 79          | 18        | 3                  |
| Property                      | 31                   | 55        | 14                 | 38          | 41        | 21                 |
| Breaking and entering         | 39                   | 54        | 7                  | 60          | 35        | 5                  |
| Theft                         | 25                   | 56        | 19                 | 35          | 36        | 29                 |
| Possession of stolen property | 39                   | 48        | 13                 | 43          | 34        | 23                 |
| Mischief                      | 21                   | 60        | 19                 | 22          | 54        | 24                 |
| Other Criminal Code           | 41                   | 36        | 23                 | 42          | 27        | 31                 |
| Other Federal Statutes        | 40                   | 34        | 26                 | . 18        | 16        | 66                 |
| Drug Offences                 | 15                   | 55        | 30                 | 19          | 16        | 65                 |
| Young Offenders Act           | 48                   | 28        | 24                 |             |           |                    |
| Total Federal Statutes        | 34                   | 48        | 18                 | 33          | 30        | 37                 |

... Figures not appropriate or not applicable.

1 Based on 74,528 convictions for youths and 411,476 convictions for adults.

<sup>2</sup> Only selected offence types are shown.

Includes both secure and open custody.

Includes all other sanctions

Source: Statistics Canada, Canadian Centre for Justice Statistics, Youth Court Survey and Adult Criminal Court Survey.

Youths were more likely than adults to be ordered to custody for "other" federal statutes. This category encompasses a variety of crimes, including offences under the *Young Offenders Act (YOA)*<sup>26</sup> and drug offences. Comparisons for the *YOA* can't be made because adults are rarely sentenced under this Act. Youths, however, can be sentenced for a number of offences, including failure to comply with a disposition (sentence). In fact, youths convicted of a *YOA* offence were punished fairly severely, with 48% of convictions resulting in custody in 1997-98. This led to the higher overall custody figures for youths for "other" federal statutes. For drug offences, youths were less likely to be sentenced to custody than were adults (15% compared with 19% of convictions).

Often, the sentence length ordered by the judge is used as an indicator of harshness. However, it is difficult to compare sentence lengths for youths and adults. Minimum and maximum sentence lengths are quite different. For most offences, young offenders can be sentenced to custody for a maximum of 2 years. However, for offences punishable by life imprisonment under the *Criminal Code*, the maximum penalty is 3 years in custody.<sup>27</sup> Adults convicted of less serious (summary) offences can usually be sentenced to prison for a maximum of 6 months, while for more serious (indictable) offences, maximum terms tend to be 2, 5, 10 or 14 years, but can go as high as life imprisonment.

Robbery, a violent offence, and breaking and entering, a property offence, both carry a maximum term of three years custody for youths and life imprisonment for adults. In 1997-98, the median length of custody in youth court cases for a robbery offence was 4 months for secure custody and 3 months for open custody. For adult cases, the median term of imprisonment was 18 months. For breaking and entering, the median length of custody ordered in youth cases was 3 months for both secure and open custody. For adult cases, the median length of imprisonment was 6 months.

One additional factor that must be taken into consideration in comparing youth and adult sentencing is time actually served. Young offenders are not eligible for parole, but under the terms of the *Young Offenders Act*, the court must review all custodial dispositions after one year.<sup>30</sup> At that time, the court may

<sup>&</sup>lt;sup>26</sup> In March 1999, the government introduced new legislation, the Youth Criminal Justice Act, which will replace the YOA.

<sup>&</sup>lt;sup>27</sup> Additionally, the maximum penalty for young offenders for second degree murder is 7 years (4 years custody and 3 years supervision) and for first degree murder it is 10 years (6 years custody and 4 years supervision).

<sup>&</sup>lt;sup>28</sup> Breaking and entering into a residence carries a maximum of life imprisonment. When the offence involves another type of location, the maximum is 14 years imprisonment.

<sup>29</sup> The median is the middle value when all values are ordered from lowest to highest

<sup>30</sup> Requests for a review can be made at any time by the parent or young offender.

reduce the term or type of sentence. Otherwise, the initial sentence has to be served. While parole is not available to young offenders, adults usually become eligible for parole after serving one-third of their sentence and those serving terms of two years or more, gain statutory release after serving two-thirds of their term. In 1997-98, 42% of applications made by adults to the National Parole Board for full parole were approved.<sup>31</sup> So although custody terms for youths are often less than for adults, the time actually served could be the same or longer.<sup>32</sup>

## Who is in prison?

In Canada, there are two types of prisons for adults: federal penitentiaries, which house inmates sentenced to a term of two years or longer and provincial/territorial prisons, which house inmates sentenced to less than two years. Provincial/territorial prisons may also house persons who are charged with a criminal offence and are being detained (on remand) while awaiting further court appearances.

On an average day in 1997-98, there were 32,970 adults (18 years or older) being held in prisons in Canada.<sup>33</sup> This represented a decrease of about 3% from the previous year and was the only decrease in the previous 10 years. The average daily count of inmates was 24% higher in 1997-98 than in 1987-88. Almost 60% of the prison population was held in provincial/territorial facilities in 1997-98.

In 1997-98, the typical adult inmate was a male. Males represented 91% of the 98,646 admissions to provincial/territorial prisons and 95% of the 4,412 admissions to federal penitentiaries. These percentages have changed very little over the last few years.

The median age of persons admitted to provincial/territorial custody in 1997-98 was 32 years, up from 31 the previous year and 29 in 1992-93. The increased age of these inmates likely reflects the general aging of the population, as well as the increased use of alternative sentences for first-time offenders (who tend to be younger than the average offender).<sup>34</sup> Federal inmates had an average age of 33 years in 1997-98, down from 36 years the previous year, but up slightly from 32 years in 1992-93.

Aboriginal persons are over-represented in prison populations. They represent 2% of the Canadian adult population, yet Aboriginal inmates made up 15% of total provincial/territorial admissions and 17% of federal admissions in 1997-98. The situation in federal prisons has become worse – the proportion of Aboriginal inmates admitted to federal facilities has grown from 11% in 1991-92.

Incarceration at the provincial/territorial level is usually brief. In 1997-98, sentences of less than 1 month accounted for 35% of all provincial/territorial admissions, while a further 50% were for 1 to 6 months. The median length of custody, was 44 days, up from 37 days the previous year. Federal sentence lengths, by definition, are longer. They have remained stable over the last 10 years, with an average of 78% of admissions being for a term of less than 5 years. The average sentence

length (excluding life sentences) in 1997-98 at the federal level was 45 months. Offenders sentenced to a life term accounted for 4% of all admissions.

A census of inmates in all adult correctional facilities in Canada that was conducted in October 1996 provides some additional information on adult inmates.<sup>35</sup> In looking at how the prison population compares to that of the general Canadian population, three notable differences emerge. First, inmates are less educated. The percentage of inmates with an education of grade 9 or less was 37% compared to 19% for all adult Canadians. Second, at the time of admission to prison, offenders had a significantly higher level of unemployment (52%) than did the Canadian adult population (10%). Finally, upon admission to the institution, only 31% of inmates were married, compared to 63% of Canadian adults. More specifically, provincial/territorial inmates were less likely to be married than were federal inmates (24% compared to 41%).

## Does parole work?

Parole is a conditional release from prison that may be granted to adult offenders. As a general rule, inmates can apply for conditional release after having served one-third of their sentence, and federal inmates are usually released after having served two-thirds of their sentence. Once released, the offender serves the remaining portion of the sentence in the community under some type of supervision.

There are two types of parole: full parole and day parole. Inmates who are granted full parole are released from prison to serve the rest of their sentence in the community. Inmates who are granted day parole reside at the correctional institution or a halfway house in the community. This provides the opportunity for offenders to participate in on-going community activities and programs, and helps them reintegrate themselves into the outside world.

Most parolees serve the balance of their sentences in the community without violating their parole conditions or committing additional crimes. In 1997-98, 78% of provincial/territorial full paroles were completed successfully. For federal parolees, 67% of inmates that were released on full parole successfully completed their sentences in the community. An additional 22% were returned to prison for breaching a parole

32 Data on time served are not available.

33 This information comes from the Adult Correctional Services Survey, which has full national coverage.

<sup>34</sup> In September 1996, a number of sentencing reforms came into effect. One was the creation of the Conditional Sentence of Imprisonment. The courts can now order offenders sentenced to less than two years to serve their term of imprisonment in the community rather than in prison.

35 The data describe the 37,541 inmates who were "on-register" on census day. For more details see "A One-Day Snapshot of Inmates in Canada's Adult Correctional Facilities" by David Robinson, Frank J. Porporino, William A. Millson, Shelley Trevethan and Barry MacKillop in Juristat (Catalogue no. 85-002-XIE, Vol. 18 No. 8) or in the full report (Catalogue no. 85-601-XPE).

<sup>31</sup> Three provinces (Quebec, Ontario and British Columbia) have their own parole boards and are not included in this figure. For more information see "Adult Correctional Services in Canada, 1997-98" by Micheline Reed and Julian V. Roberts in Juristat (Catalogue 85-002-XPE, Vol. 19 No. 4).

condition, such as failing to refrain from alcohol consumption; 10% were returned to prison because they were charged with committing a new, non-violent offence; and 1% were returned due to charges for a new, violent offence.

Decisions about parole for federal inmates, as well as inmates in provincial and territorial institutions (except in the provinces of Quebec, Ontario, and British Columbia, which have their own parole boards) are made by the National Parole Board (NPB). The proportion of provincial/territorial offenders being granted full parole has been declining – the grant rates for the provincial parole boards (combined) and the NPB are down. In 1997-98, the overall provincial parole board grant rate was 51%, down from 55% in 1995-96 and 65% in 1993-94.<sup>36</sup> The percentage of provincial/territorial offenders granted full parole by the NPB dropped to 43% in 1997-98 from 52% the previous year. In contrast, the NPB's grant rate for federal offenders on full parole is increasing. The rate was 42% in 1997-98, up from 34% two years before.

### **Data Sources**

#### **Adult Correctional Services (ACS) Survey**

The Adult Correctional Services Survey is designed to collect information on adult offenders 18 years of age and over. Data pertain to both the provincial/territorial and federal corrections sectors. Information is collected on caseload (e.g., average daily counts and total number of admissions to custody and community corrections) and case characteristics (e.g., age, sex and aboriginal status of the inmate, and length of custody). The survey has full national coverage.

#### **Adult Criminal Court Survey (ACCS)**

The ACCS collects detailed information on appearances, charges, and cases heard in adult criminal courts in Canada. In 1997-98, adult provincial/territorial courts in seven provinces and two territories (Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon and the Northwest Territories) contributed data to the survey. This represented approximately 80% of the national adult criminal court caseload. Sentencing information does not include cases that are transferred to superior courts. The cases heard by superior courts tend to be the most serious.

The primary unit of analysis for the survey is the case, which is defined as one or more charges laid against an individual and disposed of in court on the same day. Individuals include persons 18 years or older and youths who have been transferred to adult court. Among other things, the ACCS collects information on how the case was disposed (transferred to superior court, found guilty, stayed/withdrawn, acquitted) and the type of sentence (prison, probation, fine, restitution, other).

#### **Homicide Survey**

This survey provides police-reported information on the characteristics of homicide victims, homicide incidents, and those accused of homicide. The survey has collected detailed information on all homicides in Canada since 1961. It was

revised in 1991 and 1997 in order to improve and expand upon the information being collected.

#### **International Crime Victimization Survey**

The ICVS, which is coordinated by the Ministry of Justice in the Netherlands and the United Nations Interregional Crime and Justice Research Institute (UNICRI), provides information on the incidence of victimization around the world. In 1996, the survey was conducted for a third time. There were 34 participating countries, including 11 western industrialized countries (Austria, England and Wales, Finland, France, the Netherlands, Northern Ireland, Scotland, Sweden, Switzerland, the United States and Canada). A standard questionnaire was used to gather the information. In the industrialized countries, interviews were conducted by telephone using computer-assisted telephone interviewing (CATI). A random sample of persons aged 16 years and older were asked detailed information on 11 offences. These included: robbery/attempts, sexual assault, assault/threats, theft of personal property, burglary, attempted burglary, car theft, theft from car, vandalism to car, motorcycle theft and bicycle theft.

## One-Day Snapshot of Inmates in Canada's Adult Correctional Facilities

On October 5, 1996, the Canadian Centre for Justice Statistics, in collaboration with federal and provincial/territorial corrections authorities, conducted a census of inmates in all adult correctional facilities in Canada. The data include inmate demographic and background information (e.g. marital status, education, employment, criminal history), case characteristics, such as offence and sentencing data and program needs of inmates.

#### **Police Administration Statistics Annual Survey**

The Police Administration Statistics Annual Survey collects national statistics on personnel and expenditures from municipal, provincial and federal police forces. Personnel counts are based on permanent, full-time equivalents; part-time employees are converted to full-time equivalents (e.g. 4 employees working 10 hours per week would equal 1 full-time employee).

#### **Transition Home Survey**

The Transition Home Survey is a census of all residential facilities providing services for abused women and their children. Information is collected on the characteristics of the facility and the services offered during a 12-month period, and on the clients being served on a specific day of the year. Statistics Canada conducted the first Transition Home Survey in 1991-1992. The survey was repeated, with some changes, in 1992-1993, 1994-1995 and 1997-1998. For the 1997-1998 survey, questionnaires were sent to 470 residential facilities across the country. Responses were received from 430 of those facilities, yielding a response rate of 91%.

<sup>36</sup> These figures exclude data for the parole board in British Columbia because data prior to 1996-97 were not available.

### **Uniform Crime Reporting Survey (UCR)**

The UCR is a summary, or aggregate-based survey that records the number of criminal incidents reported to the police. It does not gather information on the victims, but does collect information on the number of persons charged by sex and by an adult/youth breakdown. For all violent crimes (except robbery), a separate incident is counted for each victim. For non-violent crimes, one incident is counted for each distinct occurrence. Incidents that involve more than one infraction are counted under the most serious violation. As a result, less serious offences are undercounted. The survey has been in operation since 1962 and has full national coverage.

#### **Revised Uniform Crime Reporting Survey (UCRII)**

In 1984, the UCR survey was redeveloped to expand the information collected. This expanded survey, called the Revised Uniform Crime Reporting Survey (UCRII), provides detailed information on criminal incidents reported to the police. Information includes the age and sex of the accused and the victim, the relationship of the victim to the accused, and the location of the incident. The 1997 data were collected from 179 police departments in six provinces (New Brunswick, Quebec, Ontario, Saskatchewan, Alberta and British Columbia) and represented about 48% of the national volume of crime. The data are primarily from urban police departments and are not nationally representative. The exception to this urban sample is in Quebec, where all police departments (municipal and provincial) report to the UCRII.

#### Youth Court Survey (YCS)

The Youth Court Survey collects information on federal statute cases heard in youth courts across Canada. Federal statutes include the *Criminal Code*, *Food and Drugs Act*, *Narcotic Control Act* and the *Young Offenders Act*. Information is collected on charges, cases and accused persons aged 12 to 17 (up to the 18<sup>th</sup> birthday) at the time of the offence.

Most analysis is based on the case, which is defined as one or more charges against the same person and presented in court on the same date. Cases are classified according to the most serious charge in the case, resulting in an undercounting of less serious offences. The kind of information collected by the YCS includes the type of decision (transfer to adult court, guilty, not guilty, stayed, dismissed, withdrawn and other) and the type of disposition (including secure custody, open custody, probation, fine, and compensation).

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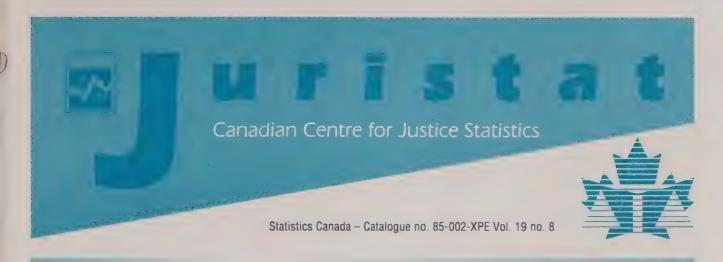
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### ALTERNATIVE MEASURES FOR YOUTH IN CANADA

By Melanie Kowalski

### HIGHLIGHTS

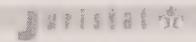
- Alternative measures are formalized programs across Canada to which young persons who would otherwise proceed to court are dealt with through non-judicial, community-based alternatives. Typical programs include personal service to a victim; financial compensation to a victim; community service; educational sessions; personal or written apology; and essays or presentations related to the offence.
- In 1997-98, excluding British Columbia, there were 32,872 youth cases that reached agreement to participate in alternative measures in Canada.
- The Prairie provinces had higher rates of youth participating in alternative measures than other provinces and territories.
- Females made up a larger proportion of total participants in alternative measures programs (36%) than the proportion charged or brought to youth court (22% and 21%, respectively).
- Youth participating in alternative measures were predominately 15 years of age or older.
- Youth were most often referred to alternative measures for property-related crime. The most common offence was theft under \$5,000 (57%).
- The most frequent types of alternative measures administered to youth in Canada were community service (22%) and apologies (18%).
- The majority of youth in alternative measures successfully completed all measures agreed to (89%).



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June 1999 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

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### INTRODUCTION

In Canada, diversion is an alternative to the formal court process which is available to persons in conflict with the law. Diversion can take two forms: police discretion or alternative measures (see Box 1 for a description of police discretion).

Alternative measures, which are the focus of this report, aim to divert persons accused of less serious offences out of the formal justice system. Alternative measures programs provide these persons with the opportunity to avoid the consequences of having a criminal record<sup>1</sup>, while holding them accountable in a manner which is visible to the community. Additionally, by dealing with offenders at an earlier stage of the justice system, alternative measures programs are meant to reduce the number of persons coming into the traditional court system.

#### Box 1

#### What is Police Discretion?

Police discretion is a measure used by police officers to keep persons alleged to have committed a crime from being involved in the formal justice system. If the youth is a first-time offender and the offence is relatively minor, the police officer may decide not to lay formal charges. Instead, the youth may be required to apologize to the victim, or the police may escort the youth home to discuss the incident with his/her parents. The police may also make voluntary referrals to community agencies.

For youth, being referred to alternative measures programs may have several beneficial effects. These may include encouraging positive changes in the attitudes of young offenders, increased victim/community satisfaction with the response to youth crime, and a lower rate of youth crime and recidivism among youth participants (Moyer & Associates, 1996).

The purpose of this *Juristat* is to provide descriptive information on policies and procedures, as well as quantitative information on the administration of alternative measures for young persons in Canada. Data are not presented on adult alternative measures because programs are just beginning to be established in the provinces and territories.

This report focuses on information gathered from an Alternative Measures special study conducted by the Canadian Centre for Justice Statistics (CCJS). Data were provided for alternative measures cases involving youth, aged 12 to 17 at the start date of alternative measures. This is the first time that data on alternative measures

#### Box 2

#### **Youth Criminal Justice Act**

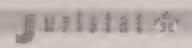
The Youth Criminal Justice Act (YCJA), announced in March 1999, will replace the Young Offenders Act. This new act may increase the use of alternative measures. One proposal in the new act requires police to consider all options, including informal alternatives to the court process, before laying charges and to allow the provinces and territories the flexibility to require Crown counsel to screen charges before they are laid against a youth.

Measures outside the formal court process may include:

- Verbal warnings and cautions from police;
- Informal police diversion programs such as a referral to a "family group conference", a program
  that involves the youth, the youth's family, the victim and others in addressing ways to account
  for the youth's offence; and,
- Formal alternative measures programs requiring community service or repairing harm done to the victim.

Source: Department of Justice Canada (1999).

A record is retained and disclosable for up to 2 years; see s.45(1) Young Offenders Act.



have been collected on a national level. In-depth analysis regarding the number of cases reaching agreement, an examination of seriousness of the offence, type of alternative measure, and outcome of cases is provided for 1997-98. For comparison purposes, information is presented on youth crime and court data. Please refer to the Methodology section for a more detailed discussion on these data sources.

The use of alternative measures differs from province to province. Some young people are diverted into alternative measure programs before they are charged, while others are diverted after they are charged. Furthermore, the types of alternative measures vary, as do the eligibility requirements (e.g. types of offences). Consequently, any comparisons of data on alternative measures should be done with caution.

#### What are Alternative Measures?

Youth alternative measures are formalized programs to which young persons who would otherwise proceed to court are dealt with through non-judicial, community-based alternatives. Alternative measures is a process which provides a young person with the opportunity to admit responsibility for criminal behaviour and participate in a program designed to best fit the circumstances. Some of these programs include: personal service to a victim; financial compensation to a victim; community service; educational sessions; personal or written apology; and essays or presentations related to the offence (see Box 3).

#### Box 3

#### Most Common Types of Measures used in Canada

Youth participating in alternative measures may be required to complete one or more measures within a set period of time. The following is an example of some of the most common types of measures used in Canada:

- Making Apologies through written or personal contact with the victim.
- Producing Essays or Posters that focus on crime prevention.
- Making Restitution / Compensation through financial compensation to the victim.
- Providing Personal Services to the victim where appropriate and desired by the victim.
- Participating in Educational Programs such as "Stoplift", which is aimed at educating people about shoplifting and its impacts on the community and businesses.
- Performing Community Service for a non-profit agency in the community (the maximum number of hours a person may be requested to complete varies across the country from 50 to 120 hours).
- Other measures include social skills improvement courses (in Quebec) and, in Manitoba, an option of implementing traditional consequences that focus on culturally-specific measures (particularly in Aboriginal communities).

Source: Stevenson, Tufts, Hendrick, and Kowalski (1998).

Generally, youth facing relatively minor charges and without previous records are eligible for alternative measures. The youth must acknowledge responsibility for the offence and agree to participate in the alternative measures process. If the alternative measures program is completed, the charge is withdrawn, in the case of post-charge alternative measures; or alternatively, in the case of pre-charge alternative measures, the alleged charge is not proceeded with. In either case, there is no permanent record of a guilty finding.

With respect to youth, provisions for the use of alternative measures are set out in section 4 of the *Young Offenders Act* (see Box 4). Within jurisdictions, alternative measures may be offered at the pre-charge stage (i.e., before the charges are laid), the post-charge stage (i.e., after the charges are laid), or both<sup>2</sup>.

#### Box 4

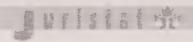
Section 4 of YOA: The Legal Framework for the Operation of Alternative Measures Programs for Youth

Alternative Measures are authorized by the Attorney General in each province and territory in accordance with s.4 of the *YOA*.

- 4 (1) Alternative measures may be used to deal with a young person alleged to have committed an offence instead of judicial proceedings under this *Act* only if:
  - (a) the measures are part of a program of alternative measures authorized by the Attorney General or his delegate or authorized by a person, or a person within a class of persons, designated by the Lieutenant Governor in Council of a province;
  - (b) the person who is considering whether to use such measures is satisfied that they would be appropriate, having regard to the needs of the young person and the interests of society;
  - (c) the young person, having been informed of the alternative measures, fully and freely consents to participate therein;
  - (d) the young person has, before consenting to participate in the alternative measures, been advised of his right to be represented by counsel and been given a reasonable opportunity to consult with counsel;
  - (e) the young person accepts responsibility for the act or the omission that forms the basis of the offence that he is alleged to have committed:
  - (f) there is, in the opinion of the Attorney General or his agent, sufficient evidence to proceed with the prosecution of the offence; and,
  - (g) the prosecution of the offence is not in any way barred at law
- (2) Alternative measures shall not be used to deal with a young person alleged to have committed an offence if the young person:
  - (a) denies his participation or involvement in the commission of the offence; or
  - (b) expresses his wish to have any charge against him dealt with by the youth court.

With respect to adults, the proclamation of *Bill C-41* in September 1996 provided for the establishment of formal adult alternative measures programs. These programs are authorized pursuant to section 717 of the *Criminal Code (Canada)* and provisions are quite similar to those for youth programs.

Alternative measures programs for youth in Canada, with the exception of New Brunswick, Ontario and Yukon, are combined pre- and post-charge programs. In New Brunswick, Alberta and Manitoba, alternative measures operate at the pre-charge stage. In Ontario and Yukon, alternative measures are offered at the post-charge stage; although in Yukon, youth are occasionally referred pre-charge.



The delivery of alternative measures may be through government agencies such as probation services, through non-governmental organizations, or through Youth Justice Committees as allowed by section 69 of the *Young Offenders Act* 

## THE ALTERNATIVE MEASURES PROCESS FOR YOUTH

Figure 1 illustrates the alternative measures process for youth (for a more in-depth discussion of the alternative measures process, refer to MacKillop, 1999). In general, the alternative measures process comprises four basic stages: referral; authorization; agreement; and outcome. The young person may not complete all stages, because in each stage, several factors may influence the young person's actions and the administration of the process (Box 5 provides examples of alternative measures models in Saskatchewan and Ontario).

#### Box 5

#### **Examples of Alternative Measures Program Models for Youth**

#### Saskatchewan

In most instances police refer the case to prosecutors, who review the matter to determine if sufficient evidence exists to proceed to court. Referrals are pre- and post-charge. Young persons participate voluntarily and must accept responsibility for their offence(s). The program exists across the province. Victim-offender reconciliation is universally available, with other models practised in some locations:

- · "Stoplift" in Regina and Saskatoon;
- · Family Group Conference in Regina; and,
- Forms of Justice Committees on the Onion Lake First Nation and Shaunavon.

Services are delivered by youth workers, community agencies and contracts with individuals. Justice Committee members volunteer their services.

Source: Saskatchewan Social Services.

#### Ontario

In Ontario, alternative measures programs for youth are operated by two Ministries – one for 12- to 15-year-olds and one for 16- and 17-year-olds. Alternative measures in Ontario are based on a post-charge, Crown prosecutor-referred diversion model, where admission to the program is requested by the young person following the swearing of an information by the police. The Crown prosecutor makes an initial determination of eligibility, based on the review of the Crown Brief and the young person's application for alternative measures, if any. The matter is then referred to the provincial director who determines personal suitability and the appropriate alternative measure.

If the young person fails to complete the alternative measures program, the matter will be referred back to the Crown prosecutor with a report from the provincial director. At that time, the prosecutor may elect to take no further action, or proceed under ss. 579 (2) of the *Criminal Code* to recommence the prosecution.

Source: Ontario Ministry of the Attorney General, Ministry of Community and Social Services; Ontario Ministry of the Solicitor General and Correctional Services.

## A young person is referred for alternative measures either before or after the police lay a charge

In most provinces and territories<sup>3</sup>, referrals to alternative measures programs originate from the Crown Attorney. However, the police play an important role in the overall delivery of alternative measures programs. When called to investigate a specific incident, police generally have three options to consider in deciding how best to proceed. First, police in all jurisdictions can exercise discretion not to lay a charge, even where an infraction of the law has occurred. In such cases, the police may give a warning, send or accompany the young person home, and/or refer the youth to a community agency. The police also have the option of laying a charge, or completing a Crown Brief in jurisdictions where charge approval rests with the Crown Attorney. The third option that police have is that of recommending a referral to alternative measures.

#### Authorization for alternative measures depends on the Crown Attorney determining whether an alternative measures program is appropriate

The role of the Crown Attorney in the alternative measures process is to review the case to determine whether there is sufficient evidence to support a charge and decide if an alternative measures program is appropriate. When the Crown Attorney is satisfied that the person should be referred to alternative measures, he/she will proceed with a referral to the appropriate organization responsible for delivering alternative measures. If the referral from the Crown Attorney is at the post-charge stage, as is always the case in Ontario and is an option in other jurisdictions, the Crown Attorney will usually enter a stay of proceedings (a temporary halt to court proceedings) until the process is completed.

Although victim participation is not a prerequisite to a person's participation in alternative measures, the victim's input is usually sought by the organization responsible for delivering alternative measures. The extent of victim participation in the alternative measures process and the role they play differs across the country and often within jurisdictions. Quite often, the process used to negotiate an alternative measures agreement in part defines the role of the victim. In Saskatchewan, for example, victim-offender mediation is often the process chosen to arrive at an appropriate measure. In such cases, the participation of the victim is significant and necessary, and in fact, should the victim choose not to participate, a surrogate victim (i.e. a person substituting for and/or taking the role of the victim in the alternative measures process, for example, Ontario uses probation officers) may be used so that the offender still derives the benefits of experiencing this type of mediation and victim awareness. In other jurisdictions where the process of negotiating an alternative measure consists of an interview with the offender, the victim may not be required to be present.

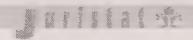
In Manitoba and the Northwest Territories, the Crown Attorney may delegate the authority to refer persons to alternative measures to the police. In New Brunswick, police officers are designated attorney general agents for the purpose of alternative measures, and in Quebec; all referrals come from the Provincial Director.

Seristat &

Incident Occurs Crown Attorney / Youth Designated Court Attorney General No Further Agent (New 2 Action Police Brunswick) Investigation 5 Provincial Director (Quebec only) Police Discretion 6 Person/organization Responsible for Delivering Alternative **LEGEND** Measures Program Following an investigation, the police may use their discretion to deal with the case informally. The police may refer the case to the Crown Attorney, with or without recommendations for alternative measures, or in some jurisdictions, police may refer the case directly to the alternative measures program. In New Brunswick, the investigating officer may refer the case to a Senior Police Officer Contact initiated designated as an Attorney General Agent for with youth, alternative measures. The Crown Attorney, after reviewing the case, may parents/guardians, choose to take no further action, or to proceed to and victim (where youth court. applicable) Youth is referred post-charge to alternative measures (This is the case in Ontario and Yukon and is an option elsewhere.) The Crown Attorney/Designated Attorney General 5. Agent may, dependent on eligibility criteria, refer the case pre-charge to the person/organization responsible for delivering alternative measures, or in Alternative Note: the case of Quebec, refer the case to the Provincial At any stage of the Measures process Director. alternative measures In Quebec, the Provincial Director will authorize 6. determined process, the youth may alternative measures, decide to take no further be referred, or may action, or refer the case back to the Crown Attorney 9 for youth court proceedings choose to be referred Once a referral is authorized, the person/organization back to the Crown responsible for delivering alternative measures Attorney for Alternative Measures initiates contact with the youth, the parents and the proceedings in youth victim where appropriate to determine consent, Agreement negotiated court. desire to participate (of all parties) and to ensure and signed youth has had opportunity to consult counsel. 8 Depending on level of victim participation, the alternative measures process is determined (e.g., mediation, family group conference, interview) and a Following a successful process, the alternative measures agreement, or contract, is drawn 10 identifying the measure(s) agreed upon and signed by all involved parties. Youth fails to complete the program successfully and case is returned to the Crown Attorney for Unsuccessful Successful consideration of further proceedings (or to designated Attorney General's Agent in New Brunswick for Completion Completion appropriate action, which may include a referral to Crown for Youth Court processing). 11. Alternative measures program is successfully completed and case is closed. Youth does not need

Figure 1: Alternative Measures Process for Youth

to return to court.



Across the country, there are some common policies with respect to the role of the victim(s). Generally, the organization responsible for delivering the alternative measures program assumes the responsibility for contacting the victim. This is often done to determine if the victim would like to participate in the alternative measures process and to identify the impact of the offence, including financial or property loss, and any other implications the offence has had on the victim. Quite often, the victim may be asked for recommendations concerning ways in which reparation could be made. Although victim participation is desirable in alternative measures, if the victim chooses not to participate this will not affect the eligibility of an offender for the program.

### An agreement is reached with the young person

Once all parties (e.g., local justice committee, probation officer, the youth, community-based agency or other persons delivering the alternative measures program) agree to an alternative measures program, an agreement is drafted. The terms and conditions of the agreement are tailored to fit the circumstances of the offence, taking into account the attitude and motivation of the person as well as the needs and concerns of the community.

### A youth case is closed if the terms of the alternative measures agreement are fully satisfied

When the terms of the alternative measures agreement are fully satisfied, the case is closed and charges (if it is a post-charge referral), which were previously stayed, are withdrawn at another court appearance. The organization responsible for delivering alternative measures usually forwards notification of completion of the alternative measures to the Crown or the original referral agent.

# **CASE CHARACTERISTICS**

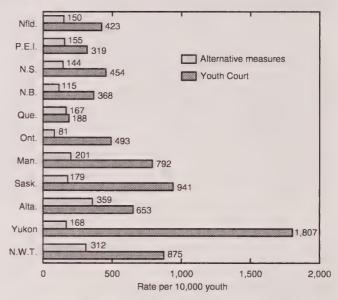
As mentioned earlier, three things can happen to a youth who is suspected of a criminal offence: the youth can be diverted through police discretion, referred to alternative measures, or processed through the courts. The use of these three measures is interrelated. For example, the use of police-based discretion to divert youth will mean a smaller number of cases to resolve through alternative measures or youth court. But a post-charge referral to alternative measures will mean that a case is counted twice — once as a youth court case and once as an alternative measures case.

In 1997-98, excluding data from British Columbia<sup>4</sup>, there were 32,872 youth cases in alternative measures in Canada<sup>5</sup>. This means that, for every 10,000 youth in Canada in 1997-98, 134 participated in alternative measures. In comparison, 430 youth per 10,000 were charged in 1997 (Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey, 1998) and 400 cases per 10,000 were brought to youth court in 1997-98 (Canadian Centre for Justice Statistics, Youth Court Survey, 1999)<sup>6</sup>.

# The Prairie provinces had higher rates of youth participating in alternative measures than other provinces and territories

Among the jurisdictions, the Prairie provinces tended to have higher rates of participation in alternative measures than other provinces and territories (see Figure 2). Alberta had the highest youth participation rate in alternative measures. For every 10,000 youth in Alberta, 359 reached an agreement for alternative measures. The Northwest Territories had the second highest rate (312), followed by Manitoba (201) and Saskatchewan (179). Ontario (81)<sup>8</sup> had the lowest youth participation rate in alternative measures.

Participation in Alternative Measures and
Youth Court, by Jurisdiction<sup>1</sup>, 1997-98



<sup>1</sup> Excludes British Columbia.

Sources: Canadian Centre for Justice Statistics. Alternative Measures Special Study (1997-98) and the Youth Court Survey (1997-98). Statistics Canada, Demography Division (1998). Post-Censal Estimates, as of July 1st, Ottawa.

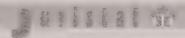
For comparison purposes, British Columbia has been excluded.

<sup>&</sup>lt;sup>4</sup> British Columbia is not included in the national figures because complete data were not available (i.e. there was no information on caution letters).

For the purpose of the report, analysis will be based on cases that have reached agreement to participate in the alternative measures process. An agreement can be signed or unsigned by the youth and more than one agreement can be reached for a case at the same time. A youth who has reached at least one agreement is counted as one case reaching agreement. This count is the number of cases opened.

Alberta's high rate of youth participation is partly explained by their use of caution letters, which accounted for 21% of their active caseload in 1997-98.

<sup>8</sup> Post-charge alternative measures cases are counted twice (as a alternative measures case and a court case) which inflate the rates presented.



As also illustrated in Figure 2, in all jurisdictions there were higher rates of youth brought to court than were participating in alternative measures. The ratio was about 3 to 1. However, the extent of this difference varied among the jurisdictions. The largest difference (11 to 1) was in Yukon, which had the highest rate of youth being brought to court (1,807 per 10,000 youth), but a fairly low youth participation rate in alternative measures (168). In contrast, Quebec had similar rates for youth in court and alternative measures (188 and 167, respectively), meaning Quebec had the greatest use of alternative measures relative to courts.

The patterns in youth court were similar to that found for alternative measures. Most Prairie provinces had higher rates of youth being brought to court than other jurisdictions. Yukon had the highest rate of youth cases brought to court (1,807) followed by Saskatchewan (941), the Northwest Territories (875), Manitoba (792) and Alberta (653). These jurisdictions also had the highest rates of participation in alternative measures.

# Females made up a larger proportion of total participants in alternative measures than the proportion charged or brought to youth court<sup>9</sup>

Even though females represent a small proportion of the total number of young offenders, proportionately they were more likely than their male counterparts to participate in alternative measures than to be charged with a federal statute offence or to be brought to youth court. Females accounted for 36% of youth cases in alternative measures compared to 22% of youth who were charged and 21% of cases brought to youth court. This proportion (36%) was similar across jurisdictions, with the exception of the territories. Females accounted for 11% of the youth cases involved in alternative measures in the Northwest Territories, and 25% in Yukon.

# Almost two-thirds of youth participating in alternative measures were 15 years of age or older

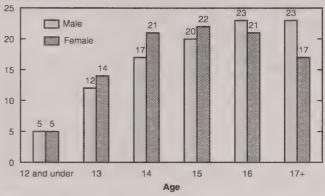
According to a non-representative sample of police data (Canadian Centre for Justice Statistics, Revised Uniform Crime Reporting Survey, 1997), the peak age for involvement in criminal activity differs for male and female youth. The largest proportion of female youth accused of an offence are 14 to 15 years of age (43%). Accused male youth are most likely to be 16 or 17 years old (49%).

The median age for youth in alternative measures in Canada was 15<sup>10</sup>. Approximately two-thirds (63%) of youth in alternative measures were 15 years of age or older. This pattern was similar across provinces and territories. As shown in Figure 3, the age of males and females in alternative measures differed. The largest proportion of males were 16 (23%) or 17 years of age or older (23%). Females were slightly younger, with similar proportions aged 14 through 16 years

Figure 3

# Age and Sex of Youth in Alternative Measures, 1997-981





<sup>1</sup> Data unavailable for Quebec.

Source: Canadian Centre for Justice Statistics, Alternative Measures Special Study (1997-98).

of age in alternative measures (21%, 22% and 21%, respectively).

# The representation of Aboriginal youth in alternative measures is similar to that of youth admitted to custody

Aboriginal youth are disproportionately represented at all levels of the criminal justice system, including in alternative measures programs. While representing 4% of the Canadian youth population, Aboriginal youth accounted for 12% of alternative measures cases in jurisdictions that were able to provide data<sup>11</sup>. In comparison, Aboriginal youth represented 15% of youth admitted to open custody facilities, 16% to secure custody facilities and 15% of youth on probation (Canadian Centre for Justice Statistics, Youth Custody and Community Services Survey, 1999).

As illustrated in Figure 4, the largest proportion of Aboriginal youth participating in alternative measures was in Saskatchewan. Aboriginal youth accounted for 15% of the youth population, while accounting for 36% of alternative measures cases. Aboriginal youth were over-represented in all jurisdictions with the exception of Prince Edward Island.

<sup>9</sup> Data unavailable for Quebec.

<sup>10</sup> The age of the young person is recorded at the start date of alternative measures.

<sup>11</sup> Data were unavailable from Newfoundland, Quebec, Manitoba and the Northwest Territories. Therefore, population data also exclude these jurisdictions.

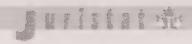
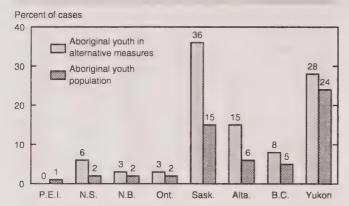


Figure 4

# Proportion of Aboriginal Youth in Alternative Measures and Aboriginal Youth Population, by Jurisdiction, 1997-981



Data unavailable for Newfoundland, Quebec, Manitoba and the Northwest Territories.

Estimates, as of July 1st, Ottawa.

Sources: Canadian Centre for Justice Statistics. Alternative Measures Special Study (1997-98). Statistics Canada, Demography Division (1998). Post-Censal

# Over one-half of the cases involved theft under \$5.000

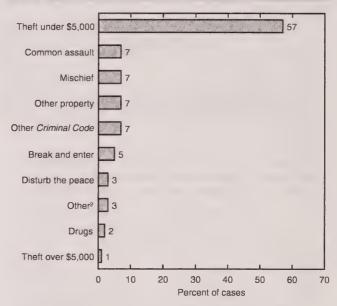
Generally, alternative measures have been used for less serious offences. However, with respect to the offences that are considered eligible for alternative measures, there is considerable variation across the country. In Quebec, for example, all offences are eligible for consideration for alternative measures. In New Brunswick and British Columbia, lists of offences for alternative measures have been developed. In the other provinces and territories, offences that are generally considered ineligible for alternative measures include murder, manslaughter, major assault, sexual assault, offences involving domestic violence, drug offences and offences related to impaired driving. The decision to include or exclude offences for consideration is usually a reflection of the needs of the jurisdiction. In some cases, such as the Northwest Territories, this decision reflects the specific needs and abilities of a local community as identified by the local justice committee.

In the majority of alternative measures cases in Canada for which data were available, the most serious offence was for a property-related crime<sup>12</sup> (70%). A further 8% of youth had committed violent offences, and 17% committed other *Criminal Code* offences (e.g., mischief). The remaining 5% involved other federal statute offences or other offences. Detailed offence categories revealed that theft under \$5,000 accounted for the largest proportion of crimes (57%) committed by youth in alternative measures (see Figure 5). The next largest proportion of offences (7%) were common assault, other property (e.g., arson, stolen goods and fraud) and other *Criminal Code* offences. This is similar to the offending patterns for youth court cases. These findings were consistent

among the provinces and territories, with the exception of British Columbia. In British Columbia, the largest proportion of youth in alternative measures had committed "other" *Criminal Code* offences (44%) – mostly, mischief.

Figure 5

# Youth Alternative Measures Cases, by Most Serious Offence, 1997-981



- <sup>1</sup> Data unavailable for Quebec, Ontario (16 and 17 year olds) and the Northwest Territories.
- 2 'Other' includes offences such as offences against the administration of law and justice, impaired operation/related violations, firearms, other offensive weapons, etc.

Source: Canadian Centre for Justice Statistics. Alternative Measures Special Study (1997-98).

### In Prince Edward Island, Manitoba, Alberta and Yukon, the majority of youth participating in alternative measures were first-time offenders

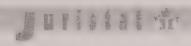
Only a few jurisdictions were able to provide data on prior criminal history<sup>13</sup>. In these jurisdictions, less than 1% of youth participating in alternative measures had prior findings of guilt. Similarly, only 2% of youth had prior experience in alternative measures. This is not surprising since alternative measures are typically aimed at first-time offenders.

Of the youth participating in alternative measures, most had committed only one offence (89%) in relation to the current case<sup>14</sup>. Nine percent had committed two offences, and 2% had committed more than two offences.

<sup>12</sup> Quebec, Ontario (16 and 17 year olds) and the Northwest Territories were unable to provide data for the "most serious offence".

Data on prior findings of guilt were available from Prince Edward Island, Manitoba, Alberta and Yukon. Data on prior alternative measures experience were also available from New Brunswick and Alberta.

<sup>14</sup> Data were available from Prince Edward Island, Ontario (12 and 15 year olds), Alberta and Yukon.



# Alleged offences were most often committed against a business rather than a person

Information on the type of victim for alternative measures cases was available from only a few jurisdictions. The type of victim is based on the most serious offence<sup>15</sup>. In Newfoundland, New Brunswick, Yukon and Prince Edward Island, about one-half of the victims were a business (55%, 50%, 50% and 43%, respectively). The next largest category of victims in these jurisdictions were persons (20%, 29%, 39% and 40%, respectively). In Saskatchewan, the most common type of victim was a person (63%), followed by a business (29%).

# Community service was the most common alternative measure administered to youth in Canada<sup>16</sup>

The alternative measures agreement identifies the terms and conditions of the young persons participation in alternative measures (see Box 6 for an example of alternative measures). A youth may be requested to complete one or more measures for varying periods of time in the community. The organization responsible for delivering alternative measures also has the option of imposing no measures, particularly in cases where the offender has already made reparation to the victim or where the parents have imposed some sanctions on the young person.

As demonstrated in Figure 6, the most frequent type of alternative measure administered to youth in Canada was community service (22%), followed by apologies (18%), and 'other' alternative measures (13%). Personal service and counselling tended to be given the least frequently (2% and 1%, respectively). It should be noted that more than one type of alternative measure can be identified, so it is possible that some alternative measures, such as apologies, were given in conjunction with other types of alternative measures.

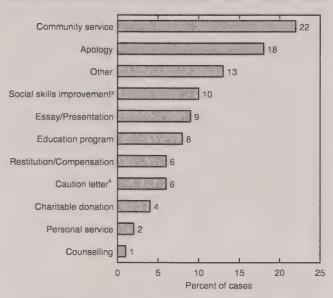
There was some variation among the jurisdictions in the type of alternative measures administered. For instance, in Yukon, the most common type of alternative measure administered to youth was supervision (32%). In Quebec, a fairly large proportion of youth were given social skills improvement courses (40%). Quebec was the only jurisdiction which administered social skills improvement courses as part of alternative measures. In Manitoba, the most frequent alternative measure administered to youth was a parental action letter (30%). Alberta<sup>17</sup> and British Columbia also administer a similar type of letter, referred to as a caution letter.

There were no substantial differences in the type of alternative measures administered to males and females.

Community service and personal service hours were collected to determine the average time that a youth participates in alternative measures<sup>18</sup>. For those jurisdictions that provided data, the majority of youth performing community services spent between 1 and 49 hours (95%). This was similar for youth participating in personal services (94%).

Figure 6

### Alternative Measures Assigned to Youth, 1997-98<sup>1,2</sup>



- <sup>1</sup> More than one type of alternative measures can be recorded per case.
- <sup>2</sup> Data unavailable for Ontario (16 and 17 year olds); and excludes 15% of cases for which the type of alternative measures is unknown.
- <sup>3</sup> Social Skills Improvement program is only offered in Quebec.
- <sup>4</sup> Excludes British Columbia.

Source: Canadian Centre for Justice Statistics. Alternative Measures Special Study (1997-98).

#### Box 6

### **Community Service - An Example of Alternative Measures**

Community service programs (as with personal service to the victim) are an opportunity for the youth to personally and directly make an effort to provide restitution. The accused person completes a specific number of volunteer hours at an approved community agency as specified in the alternative measures agreement. The real value of community service may be realized when:

- A community placement agency feels a genuine commitment to working with youth;
- The youth has a genuine understanding of the meaning of, and their own responsibility for making restitution;
- Work is real and not demeaning;
- · Work is demanding without being punitive; and,
- Parents take an active interest in the youth's community service placement and actually visit the site.

Source: Montgomery (1997).

<sup>15</sup> In cases where the alleged offence took place in a small business, which was housed in a private dwelling, this is scored as a place of business.

<sup>16</sup> Type of alternative measures data were unavailable for Ontario (16 and 17 year olds).

<sup>17</sup> In Alberta, the type of alternative measure, other than caution letters, was not available (the type of alternative measure was unknown for 80% of cases).

Data were not available from Newfoundland, Nova Scotia, New Brunswick, Quebec, Ontario, Alberta, Yukon and the Northwest Territories. As well, British Columbia was unable to provide data for personal service.

The amount of money that youth were required to pay for restitution/compensation and charitable donations was also examined<sup>19</sup>. Among those jurisdictions that were able to provide data, the largest proportion of youth ordered to pay restitution/compensation were required to pay \$150 or more (36%). A further one-third (34%) were ordered to pay less than \$50. Of those youth required to donate to a charity, the largest proportion paid less than \$50 (74%).

# The majority of cases in alternative measures were successfully completed

A youth is considered unsuccessful in alternative measures at two distinct points in time: when the youth does not enter into an agreement for whatever reason; or, when the youth does not complete the terms and conditions of his/her agreement (e.g. when the youth: cannot be located; shows an unwillingness to complete the terms and conditions of the alternative measures agreement; refutes his/her earlier acceptance of the responsibility or involvement in the alleged offence(s))

Of the cases that were closed in 1997-98, 89% of youth successfully completed all measures agreed to<sup>20</sup>. Another 1% partially completed their measures. Equal proportions of males and females successfully completed alternative measures (88% and 89%, respectively).

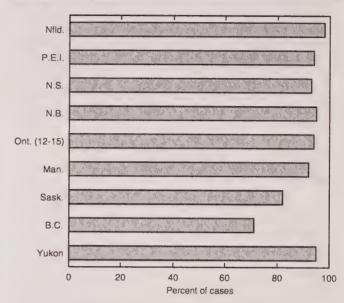
Successful completions varied among provinces and territories. As demonstrated in Figure 7, the proportion of youth who successfully completed alternative measures ranged from 71% in British Columbia<sup>21</sup> to 98% in Newfoundland.

Detailed information examining the completion rate by type of alternative measure was available for Manitoba and Ontario (12- to 15-year-olds). All youth in Manitoba who received parental action letters had successful completions. Personal services to the victim and charitable donations were the most common alternative measures with successful completions in Ontario (97% each). These findings were similar among males and females, with the exception of restitution or compensation to the victim in Ontario. Ninety-five percent of males participating in restitution or compensation to the victim successfully completed the alternative measures program compared to 86% of females. There were no significant differences for successful completions among age groups or for Aboriginal youth.

Procedures for non-compliance vary across Canada. If a youth is alleged to have committed a new offence while in alternative measures, this may not affect the young person's right to continue with the current alternative measures, except in cases where custody is required. In a case where the young person is no longer willing to complete the alternative measures, the supervising agency may close the case without any further action, or refer it back to the Crown Attorney. The Crown may consider another term in alternative measures, prosecute the case in court, or close the case and take no further action.

Figure 7

# Successful Completions of Alternative Measures, by Jurisdiction, 1997-981



<sup>1</sup> Data unavailable for Quebec, Ontario (16-17), Alberta and the Northwest Territories.

Source: Canadian Centre for Justice Statistics. Alternative Measures Special Study (1997-98).

### **METHODOLOGY**

#### **Alternative Measures Survey**

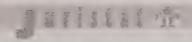
The information presented in this *Juristat* is derived from an Alternative Measures survey developed by the Canadian Centre for Justice Statistics. The survey was developed to provide statistical information on the administration of alternative measures for youth in Canada. The survey collected aggregate and micro-data, depending on the capabilities of jurisdictions. All provinces and territories responded to the survey. Manitoba and Ontario were the only jurisdictions that provided micro-data, and the latter only for 12 to 15-year-olds.

The unit of analysis that is used in the Alternative Measures survey is the case. A case refers to one person's activity in the alternative measures program for an incident. An incident

<sup>19</sup> Data were not available from Newfoundland, Nova Scotia, New Brunswick, Quebec, Ontario, Alberta, and the Northwest Territories. As well, Manitoba does not use this type of measure.

<sup>&</sup>lt;sup>20</sup> Data were not available from Quebec, Ontario (16 and 17 year olds), Alberta, and the Northwest Territories.

<sup>21</sup> The lower success rate in British Columbia may partly be explained by the exclusion from the data of caution letters and no further action (where, by definition, there is 100% compliance).



is a specific event wherein the person is alleged to have committed one or more related offences, with or without victims. "Related" refers to a sequence of criminal actions which occur at the same location or where one action led to the occurrence of another. The focus of this survey is on cases for which an agreement for alternative measures has been reached. A case reaching an agreement refers to a case in which a young person agrees to participate in the alternative measures process.

Discussions of offences are based on the seriousness of an offence according to the type of offence and its potential impact on the person as per the Revised Uniform Crime Reporting (UCR) Offence Seriousness Index. One "most serious offence" (MSO) is counted for each case reaching agreement. In a case where there is only one offence, that offence is the most serious. In a case where there is more than one offence, the MSO is determined by the most serious offence severity scale.

### **Uniform Crime Reporting (UCR) Survey**

The UCR Survey has been collecting summary information on crime from police agencies across Canada since 1962. This survey records the number of criminal incidents that come to the attention of the police. It includes the number of reported offences and the number of actual offences (excluding those that are unfounded), the number of offences cleared by charge, the number of persons charged by sex and by adult/youth breakdown.

### Revised Uniform Crime Reporting (UCRII) Survey

The UCRII Survey captures detailed information on individual criminal incidents reported to the police, including characteristics of victims accused persons and the incidents. In 1997, 179 police forces in six provinces reported to the UCRII. The data represent 48% of the national volume of crime, and the reader is cautioned that these data are not nationally representative.

### **Youth Court Survey (YCS)**

Another data source used in this *Juristat* is the Youth Court Survey (YCS). The survey includes *Criminal Code* and other federal statute offences heard in youth court for youth aged 12 to 17 at the time of the offence. The unit of analysis used for the YCS is the case, which is defined as one or more charges lay against a young person and presented in a youth court on the same date. Case counts are categorized by the most serious charge, most serious decision and most serious disposition. Consequently, less serious charges, decisions and dispositions are under-represented.

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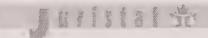
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# **CRIME STATISTICS IN CANADA, 1998**

by Sylvain Tremblay

# **Highlights**

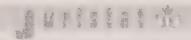
- Canada's police-reported crime rate decreased for the seventh year in a row in 1998, falling 4%. The 1998 rate was the lowest rate since 1979.
- With the exception of Newfoundland (+3%) and Saskatchewan (+2%), all provinces reported a decline in their crime rate. Newfoundland reported the lowest crime rate (5,803 incidents per 100,000 population), while Saskatchewan reported the highest (12,403).
- Of the 2.5 million Criminal Code incidents, 12% were violent crimes, 56% were property crimes, and the remaining 32% were other offences such as mischief, disturbing the peace, prostitution and arson.
- The rate of violent crime declined for the sixth consecutive year, down 2%. Despite these recent declines, the violent crime rate was still 12% higher than 10 years ago. All major categories of violent crime decreased in 1998, including homicide (-6%), sexual assault (-6%), assault (-1%), and robbery (-3%).
- There were 555 homicides in 1998, 31 fewer than in the previous year. The homicide rate has generally been falling since the mid-1970s. The 1998 rate of 1.8 homicides per 100,000 population is the lowest in 30 years.
- The property crime rate dropped 7%, continuing the general decline that began in 1991. All major categories of property crime decreased in 1998, including motor vehicle theft (-7%), breaking and entering (-7%), and other theft (-7%).
- Fuelled by an 8% drop in property crimes, the youth crime rate, as measured by the number of youths charged by police, declined 4% in 1998. This rate has generally been decreasing since 1991. The rate of youths charged with violent offences also decreased (-1%) for the third straight year.



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July 1999 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

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### Introduction

Every year since 1962, Canada's police agencies have reported criminal incidents that come to their attention to the Canadian Centre for Justice Statistics (CCJS) by means of the Uniform Crime Reporting (UCR) survey. This report is an examination of the 1998 reported crime. Data are presented within the context of both short and long term trends.

Analyses in this report focus on trends in violent crime, property crime, impaired driving offences, drug offences and youth crime. Crime rates are examined at the national, provincial/territorial and major metropolitan levels. The trend in Canada's crime rate is put into perspective by comparing it with crime trends in some other industrialized countries. Detailed information on incidents, accused and victims is also presented when appropriate.

The Canadian Centre for Justice Statistics gratefully acknowledges the assistance of Canada's police agencies and the Canadian Association of Chiefs of Police (CACP) in making this report possible.

### Interpreting police-reported crime data

Data on incidents that come to the attention of police are captured and forwarded to the CCJS according to a nationally-approved set of common scoring rules and definitions. The reader should note, however, that many factors could influence official crime statistics. These include: reporting by the public to the police; reporting by police to the CCJS; and, the impact of new initiatives such as changes in legislation, policies or enforcement practices.

### Reporting to police

It can be argued that official crime statistics merely reflect Canadians' willingness to report criminal activity to police. There are many reasons why victims may not report these incidents to police: the feeling that police cannot help or that the incident is a personal matter (e.g., domestic violence or some assaults); the level of seriousness related to the incident; and, the fear of reprisals from the aggressor or of the possible negative consequences of criminal justice system intervention. However, the need for a police report to receive insurance compensation may also encourage people to report certain offences to police such as break and enter or thefts of motor vehicle.<sup>1</sup>

Estimates of some unreported crimes are available from victimization surveys, such as the General Social Survey (GSS)<sup>2</sup> and the International Criminal Victimization Survey (ICVS).<sup>3</sup> Mirroring the general trends in police-reported statistics, data from ICVS showed that victimization rates in Canada fell 11% between 1991 to 1995 compared to a 13% decrease in the police-reported crime rate. A third cycle of the GSS is being conducted in 1999 and results will be available in 2000.

While under-reporting to police can negatively affect official crime statistics, the opposite is also true: as the tolerance for certain crimes lowers, reporting to police will increase, driving crime statistics upward. For example, increased education in the areas of family violence, sexual assault and youth crime have lowered society's tolerance for these behaviours which, in turn, may encourage victims and witnesses to report to police.

#### Reporting by police to the CCJS

Crimes reported to the CCJS by police agencies are subjected to numerous quality-control procedures, both on-site at the police agency and at the CCJS. The CCJS

See "Decision Making in the Criminal Justice System: Toward the Rational Exercise of Discretion" by Gottfredson and Gottfredson (1988), Law, Society, and Policy, Vol. 3, New-York: Prenum.

The General Social Survey is conducted by Statistics Canada. See "Trends in Criminal Victimization, 1988-1993" by Rosemary Gartner and Anthony Doob, *Juristat*, Catalogue 85-002, Vol. 14, No. 13.

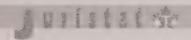
<sup>&</sup>lt;sup>3</sup> For further information, refer to "Criminal Victimization: An International Perspective" by Sandra Besserer, Juristat, Catalogue 85-002, Vol. 18, No. 6.

# ERRATA

After the printing of this report, an error was detected in the English version:

Table 5 on Page 19 - data for Québec should read:

|        | Population | Total CC Offences<br>rate % change<br>in rate | Violent crime<br>rate % change<br>in rate | Property crime rate % change |
|--------|------------|---|---|------------------------------|
| Québec | 687,155    | 5,348 -8.7                                    | 456 -11.4                                 | in rate 3,511 -8.3           |



and police agencies work together on an on-going basis to detect and resolve any difficulties in the reporting or transmission of data.

In addition, concerns have been raised that tighter budgets are diminishing the ability of some police agencies to respond to, and document, all incidents reported to them, a situation that may also result in a decrease in UCR coverage. While it has been suggested that this may have contributed to the recent declines in the crime rate, the fact that serious crimes (those crimes which are more likely to be recorded by police) have been declining as much as less serious crimes, suggests that any change that may have occurred in reporting by police is not significant.

Moreover, a comparison of trends among police agencies across all provinces/territories shows that virtually all agencies have been experiencing decreases in reported crime in recent years.

### Changes in legislation, policies and practices

Changes in legislation, policies and police enforcement practices may also have an impact on police-reported statistics. For instance, where an amendment to the *Criminal Code* creates a new offence or broadens the definition of an existing one, the number of incidents reported to police will likely increase.

For certain crimes, the rise and fall of statistics is driven largely by police enforcement. Crimes such as prostitution, drug offences and impaired driving are most often identified through police-enforcement activities, or "proactive" policing, and are rarely reported by the public. Therefore, police enforcement efforts, such as special operations to target these types of crime, will affect official crime statistics.

Some police services attribute recent declines in local crime rates to community-based policing or to new strategies initiated to reduce certain crimes. While community-based policing can have an impact on police-reported crime statistics, the direction and size of the impact are difficult to assess. Aside from community policing, some police agencies also attribute declines in certain crimes to improved case management and new approaches to resolving and preventing crime.

#### Key terminology and definitions

Throughout this report, the terms "crime" and "crime rate" refer to total police-reported Criminal Code "actual" incidents, excluding traffic crime, unless noted otherwise. "Actual" incidents are those which have been substantiated through police investigation.

It is also important to note that, for incidents involving multiple offences, only the most serious offence in the incident is counted. Unless otherwise stated, violent crime counts reflect the number of victims in the incident, whereas non-violent crime counts reflect the number of incidents or occurrences of crime. Crime rates are based on 100,000 population (see Table 10 for population estimates used). Please refer to the Methodology section for further details on the UCR survey.

### 1998 Crime Trends

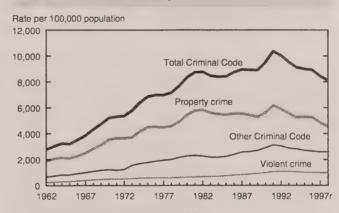
#### Lowest crime rate since 1979

Of the 2.5 million *Criminal Code* incidents (excluding traffic incidents) reported in 1998, 12% were violent crimes, 56% were property crimes, and 32% were other *Criminal Code* crimes (e.g. mischief, prostitution, arson, bail violations, disturbing the peace). In addition, there were approximately 140,000 *Criminal Code* traffic incidents (6 out of 10 were impaired driving offences), 71,000 drug incidents and 35,000 other federal statute incidents (e.g. *Excise Act, Immigration Act, Canada Shipping Act*) reported. In total, there were 2.7 million federal statute incidents reported by the police.

After peaking in the early 1990s, Canada's crime rate has been falling steadily. In 1998, the police-reported crime rate dropped for the seventh consecutive year (-4%) (Table 1). Over these seven years, the crime rate has decreased by 22%, making the 1998 rate the lowest since 1979 (Figure 1). Compared to twenty years ago, however, the 1998 crime rate is 13% higher, and it is up 87% from thirty years ago. Over the last few decades, amendments to Canada's definition of criminal behaviour and changes in our tolerance for certain crimes may have influenced reporting to police as well as the nature of reported incidents.

Figure 1

### Crime rates by major category, Canada, 1962-1998

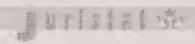


Source: Uniform Crime Reporting Survey, CCJS.

### Crime rate is down in most provinces

There is considerable regional variation in crime rates across Canada. Historically, crime rates in the Atlantic provinces and Quebec have been lower than those in Ontario, which in turn have been lower than rates in the Western provinces. During the 1990s, however, this pattern has changed somewhat. Alberta has reported much lower crime rates than its neighbouring provinces and Nova Scotia has shown higher crime rates than Quebec and Ontario.

In 1998, provincial crime rates ranged from a low of 5,803 incidents per 100,000 population in Newfoundland to 12,403



#### Nunavut: A similar crime profile to other territories

Crime rates in the Northwest Territories and the Yukon are usually higher than those in the provinces (Table 3). On April 1<sup>st</sup>,1999, Nunavut, which comprises the eastern part of the old Northwest Territories, officially became a Canadian territory. It is possible to derive crime statistics for Nunavut and the new Northwest Territories previous to 1999. The table below shows those statistics for the period 1994 to 1998 according to the 1999 boundaries. Yukon is also included for comparison purposes. Although populations in the three territories are lower than 100,000, rates are based on this number for comparability purposes with provinces.

In general, crime rates reported in the region that now forms Nunavut are comparable to those of the two other territories. In 1998, Nunavut reported a violent crime rate higher than both the Yukon and the Northwest Territories, while their property crime rate was lower. The overall crime rate in Nunavut has been declining since 1995, mainly due to a downward trend in property offences.

#### Crime Rates in Territories, Canada, 1994-1998

|   | 1994   | 1995   | 1996   | 1997   | 1998   | % Change<br>1997-1998 | % Change<br>1994-1998 |
|---|--------|--------|--------|--------|--------|-----------------------|-----------------------|
|   |        |        |        |        |        |                       | %                     |
| Violent Crime - Total                   |        |        |        |        |        |                       |                       |
| Nunavut (Eastern Arctic)                | 6,531  | 5,636  | 5,591  | 5,662  | 5,879  | 4                     | -10                   |
| Northwest Territories (Western Arctic)  | 4,826  | 4,665  | 4,579  | 5,354  | 5,063  | -5                    | 5                     |
| Yukon                                   | 2,719  | 3,228  | 3,131  | 3,266  | 2,904  | -11                   | 7                     |
| Property Crime - Total                  |        |        |        |        |        |                       |                       |
| Nunavut (Eastern Arctic)                | 7,000  | 7,616  | 6,973  | 5,604  | 4,977  | -11                   | -29                   |
| Northwest Territories (Western Arctic)  | 7,373  | 7,576  | 7,533  | 6,727  | 7,022  | 4                     | -5                    |
| Yukon                                   | 8,503  | 8,939  | 8,188  | 8,139  | 6,982  | -14                   | -18                   |
| Other Criminal Code Offences - Total    |        |        |        |        |        |                       |                       |
| Nunavut (Eastern Arctic)                | 9,980  | 11.240 | 9,813  | 9.488  | 9,660  | 2                     | -3                    |
| Northwest Territories (Western Arctic)  | 12,609 | 11,267 | 9,806  | 10.998 | 12,939 | 18                    | 3                     |
| Yukon                                   | 7,934  | 7,557  | 8,410  | 9,396  | 8.139  | -13                   | 3                     |
|   | 1,504  | 1,551  | 0,410  | 3,350  | 0,135  | -13                   | J                     |
| Criminal Code excluding Traffic - Total |        |        |        |        |        |                       |                       |
| Nunavut (Eastern Arctic)                | 23,510 | 24,492 | 22,377 | 20,754 | 20,517 | -1                    | -13                   |
| Northwest Territories (Western Arctic)  | 24,808 | 23,508 | 21,919 | 23,079 | 25,024 | 8                     | 1                     |
| Yukon                                   | 19,157 | 19,724 | 19,729 | 20,801 | 18,025 | -13                   | -6                    |

per 100,000 in Saskatchewan, where the crime rate has been increasing since 1994 (Table 3). Except for Newfoundland (+3%) and Saskatchewan (+2%), all provinces followed the 1998 national trend of a declining crime rate. For a second consecutive year, Prince Edward Island reported the highest provincial drop (-8%). Ontario, which accounts for almost two-fifths of Canada's population, reported a drop of 6%.

# Crime also down in a majority of census metropolitan area

Crime rates declined in each of the nine largest census metropolitan areas (CMAs)<sup>4</sup> in 1998 (Table 4). The largest drops were reported by Toronto (-11%), Québec (-9%) and Ottawa<sup>5</sup> (-8%). Québec and Toronto also recorded the lowest crime rates among all 25 CMAs (Table 5). Both of their rates were less than half the rate of Vancouver which, despite a 5% decline, still displayed the second highest crime rate among all 25 CMAs. In 1998, the offences reported by these nine metropolitan areas accounted for almost half (46%) of all crimes reported by police in Canada.

Most of the other metropolitan areas, which had populations between 100,000 and 499,999, also reported decreases, the largest drops being reported by London (-10%), Hull (-10%) and Chicoutimi-Jonquière (-10%) (Table 5). For a second consecutive year, Regina (14,785 per 100,000 population) showed the highest crime rate of all 25 CMAs, followed by Vancouver (12,142) and Saskatoon (11,777).

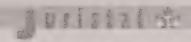
# Crime is also falling in the U.S and in England & Wales

Other countries have also experienced recent declines in their crime rates. The Federal Bureau of Investigation reported that the 1998 preliminary indexed crime<sup>6</sup> rate in the United States dropped for a seventh year in a row (-5%), including a 7% decrease in violent crime and a 5% decline in property crime. All crimes included in the index decreased in 1998, including murder (-8%), robbery (-11%), motor vehicle theft (-8%) and burglary (-3%). The reported crime in England and Wales has also fallen annually since 1992, including an 8% decrease in 1998.<sup>6</sup> Violent crime was up 1%, while property crime was down 9%.

A CMA refers to a large urban core (over 100,000 population) together with adjacent urban and rural areas that have a high degree of economic and social integration. The areas that police forces serve may differ in their mix of urban/suburban populations, making the comparability of crime rates among these forces difficult. This lack of comparability is addressed by analyzing crime rates by CMA. Usually, more than one police force is responsible for enforcing the law within the boundaries of a CMA.

<sup>5 &</sup>quot;Ottawa" in this report refers to the Ontario portion of the Ottawa-Hull CMA.
6 The U.S. Crime Index is composed of the violent crimes of murder, non-negligent manslaughter, forcible rape, robbery and aggravated assault (not common assault), and the property crimes of burglary, larceny-theft, motor vehicle theft and arson

For more information on England and Wales statistics, see the report entitled *Notifiable Offences, England and Wales*, by D. Povey and J. Prime, Home Office, England, October 1998. The annual report is based on the time period from April 1997 to March 1998.



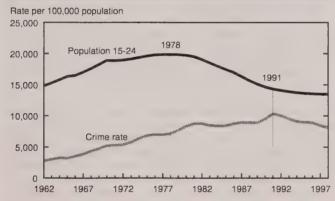
# Changing demographics and the crime rate

The decline in crime rates since the early 1990s has coincided with the decreasing proportion of persons aged between 15 and 24 years old during this time period. This group is recognized as those who commit a large number of criminal offences (see Figures 14a & 14b). However, the relationship between their representation in the general population and trends in the crime rate is not so obvious.

Figure 2 shows the trend in the number of crimes and the number of 15 to 24 year-olds as rates per 100,000 population from 1962 to 1998. Between 1962 and 1978, both lines show a constant increase: the crime rate climbed 158%, while the rate of 15 to 24 year-olds increased by 34%. However, while crime continued to increase until peaking in 1991, the rate of 15 to 24 year-olds decreased by 27% over the same period (1978-1991). Since 1991, both trends have decreased: the crime rate by 22% and the population 15 to 24 by 6%. This seems to indicate that, while there is some relationship between the trend in the crime rate and the trend in the high-risk offender age group, there are clearly other factors that are influencing crime rates.

Figure 2

### Crime rate and demographics, Canada, 1962-1998



Source: Uniform Crime Reporting Survey, CCJS and Report on Annual Demographic Statistics, 1998.

It should also be noted that persons aged 55 and over, an age group characterized by very low involvement in crime, both as accused and as victims<sup>7</sup>, continues to increase in Canada. This group is gaining an average of 1.1% each year, and is projected to grow continuously from now until 2016.8

## **Violent Crime**

### Violent crime continues to drop

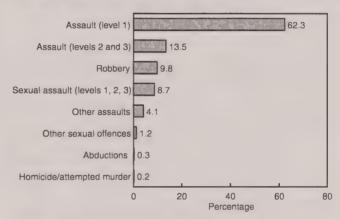
Violent criminal incidents (295,369 in 1998) include homicide, attempted murder, assault, sexual assault, other sexual offences, abduction and robbery. Violent crimes comprised

12% of *Criminal Code* offences in 1998, compared with 9% five years ago.

The violent crime rate declined for a sixth consecutive year in 1998 (-2%). Prior to these declines, the violent crime rate had increased for 15 straight years (Figure 1). Much of this increase is directly attributable to a large increase in the rate of common assaults (level 1), the least serious form of assault, which accounts for more than 6 in 10 violent crimes (Figure 3). Compared to 1988, the 1998 violent crime rate is 12% higher. If the category of common assault is excluded from total violent crime, the increase is only 4%.

Figure 3

### Violent crime categories, Canada, 1998



Source: Uniform Crime Reporting Survey, CCJS

Although the national violent crime rate decreased in 1998, there were variations among the provinces. Increases were reported in Saskatchewan (+3%) and Quebec (+3%), while rates in New Brunswick, Alberta, Prince Edward Island and Ontario remained relatively stable. Among the provinces showing decreases, Nova Scotia (-11%) and Newfoundland (-8%) had the largest drops. Violent crime rates in the western provinces were much higher than those in the other provinces (Figure 4 and Table 3). Manitoba, Saskatchewan and British Columbia reported the highest rates, while Quebec and Prince Edward Island reported the lowest, a pattern consistent with previous years.

Among all CMAs, Thunder Bay (1,740 offences per 100,000 population) reported the highest violent crime rate for the eighth straight year (CMA data the farthest back available), followed by Regina (1,649) and Saskatoon (1,407) (Table 5). The high violent crime rate in Manitoba is a reflection of the high rate in Winnipeg, which accounts for 60% of the

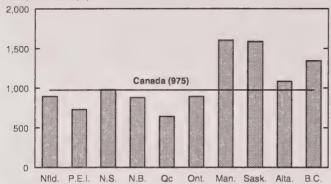
Statistics Canada. Population Projections for Canada, Provinces and Territories, 1993-2016. Catalogue No. 91-520, December 1994.

<sup>&</sup>lt;sup>7</sup> The International Criminal Victimization Survey (1996) showed that the victimization rate for those 55 and over was 31 per 1,000 population, compared to 312 for those aged 15 to 24. The 1993 GSS showed similar findings.

Figure 4

# Violent crime, Canada and the provinces, 1998

Rate per 100,000 population



Source: Uniform Crime Reporting Survey, CCJS.

provincial population. The lowest violent crime rates were reported in Sherbrooke (411), Québec (456) and Trois-Rivières (492).

Fifteen of the 25 CMAs recorded a drop in their violent crime rate in 1998, the largest being in Halifax (-12%), Québec (-11%) and Winnipeg (-11%). Windsor (+7%), Kitchener (+7%) and Montreal (+5%) reported the largest increases (Table 5).

#### Homicides continue to decline

Homicide includes first and second-degree murder, manslaughter, and infanticide. In 1998, there were 555 homicides and 738 attempted murders (Table 2). Together these crimes continue to account for less than a half of one percent of reported violent incidents. The homicide rate (1.8 per 100,000 population) has generally been declining since the mid-1970s. In 1998, this trend continued with a 6% drop in the rate (31 fewer homicides than in 1997), and is at the lowest point since 1968. The rate of attempted murders (2.4) also fell in 1998 (-16%), generally following the trend in the rate of homicide (Figure 5).

In 1998, the homicide rate dropped in half of the 25 CMAs. The rates were highest in Regina (4.0) and Halifax (3.4). No homicides were recorded by police services in Trois-Rivières and Saint John (New Brunswick).<sup>9</sup>

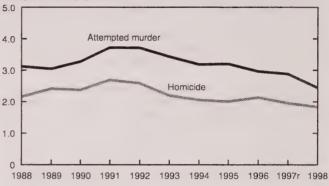
### Sexual assaults drop for the fifth year

Sexual assaults accounted for less than 1 in 10 violent crimes in 1998. Sexual assault is classified into one of three levels according to the seriousness of the incident: level 1 sexual assault (the category of least physical injury to the victim); level 2 sexual assault (with a weapon, threats to use a weapon, or causing bodily harm); and, level 3 aggravated sexual assault (wounds, maims, disfigures or endangers life of victim). In 1998, the vast majority (97%) of the 25,493 reported

Figure 5

### Homicide and attempted murder incidents, Canada, 1988-1998

Rate per 100,000 population



Source: Uniform Crime Reporting Survey, CCJS.

incidents of sexual assault were classified by police as level 1 (Table 2).

After reaching a peak in 1993, the rate of total sexual assaults declined for five consecutive years, including a 7% drop in 1998. All three levels of sexual assault were down compared to the previous year: aggravated sexual assault dropped by 19%, sexual assault with a weapon declined 13%, and sexual assaults (level 1) decreased 6%.

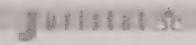
Rates of sexual assault increased in 9 of the 25 CMAs. The highest rates of sexual assault were reported in Saint John (New Brunswick) (194 incidents per 100,000 population) and St. John's (Newfoundland) (136). The lowest rates were in Sherbrooke (22) and Trois-Rivières (32).

Data from the Revised Uniform Crime Reporting Survey (UCRII) (see text box on next page) illustrate that the vast majority of victims of sexual assault were female (85%). Female victims were most frequently victimized by a casual acquaintance (33%), followed by a stranger (26%) and a family member (25%). Victims of sexual assault tended to be quite young, with almost 60% of victims younger than 18 years of age. The median<sup>10</sup> age for females was 17 years. Male victims tended to be much younger (median age of 11 years) and were also most frequently victimized by a casual acquaintance (40%), a family member (30%) or a stranger (14%). Young girls (12 and under) had most frequently been sexually assaulted by a family member (46%) or a casual acquaintance (35%), while boys of the same age were most frequently abused by a family member (43%) or a casual acquaintance  $(38\%).^{11}$ 

For further information, see «Homicide in Canada, 1998» by Orest Federowycz, *Juristat*, Catalogue 85-002 (to be released in October, 1999).

The median value is the one in the middle when a set of values is arranged in order from highest to lowest.

<sup>11</sup> For further information, refer to "Children as Victims of Violent Crime", by Robin Fitzgerald in *Juristat*, Catalogue 85-002, Vol. 17, No. 11 and "Sexual Offenders, 1997-1998", by Integration and Analysis Program, *Juristat*, Catalogue 85-002, Vol.19, No.3.



### 1998 UCRII - Incident-Based Data File

The revised UCR survey captures detailed information on individual criminal incidents reported to police, including characteristics of victims, accused persons and incidents. The survey presently collects data from 169 police agencies in six provinces. These data represent 46% of the national volume of actual *Criminal Code* crimes.

The reader is cautioned that these data are not nationally representative: respondents from Quebec account for 41% of the sample and those from Ontario account for a further 35%. Outside of Quebec, these data are largely an urban sample. Please refer to the methodology section for more information. All calculations exclude records where the variable under study is reported as "unknown", unless otherwise mentioned.

### Assaults relatively stable since 1995

The most frequently reported category of violent crime is assault. The *Criminal Code* defines several categories of assault: common assault (level 1), assault with a weapon or causing bodily harm (level 2), aggravated assault (level 3), and other assaults (i.e., assault on peace officer, unlawfully causing bodily harm, discharge of firearm with intent and all other assaults).

In 1998, police recorded 223,260 incidents of assault levels 1, 2 and 3 (Table 2). The rate of assaults has remained virtually unchanged since 1995, decreasing by less than 1% in 1998. This slight decrease was mainly due to a small change in the rate of common assault (-1%), which accounts for almost 8 in 10 assaults and 6 in 10 reported violent incidents. This offence includes behaviours such as pushing, slapping, punching, face-to-face verbal threats, and threats by an act or gesture.

While aggravated assault (level 3) fell for a seventh year in a row (-2%), assaults with weapons (level 2) remained stable.

The rate of assault (levels 1, 2, 3) dropped in 14 of the 25 CMAs. Thunder Bay continued to report the highest rate of assault (1,510 incidents per 100,000 population), followed by Regina (1,277). Rates were lowest in Sherbrooke (279) and Trois-Rivières (298).

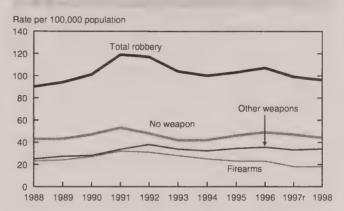
Data from the UCRII survey show that, unlike sexual assaults, victims of assault were as likely to be male as female (Table 6). Females represented the majority of victims of common assault (52%), while males represented two-thirds of victims of assault with a weapon and aggravated assault (67%). Overall, the median age of victims of assault was 28 years; males were somewhat younger than females (26 years compared to 29 years). Females had most often been assaulted by a spouse or ex-spouse (42%), a casual acquaintance (18%), or a close friend (12%). Among male victims, their assailants had most often been strangers (37%), followed by casual acquaintances (33%). Children under 18 years assaulted by parents accounted for 3% of all assault victims. However, the secrecy surrounding child abuse and the powerlessness of young children may result in these incidents often being unreported to police.

### Robberies are down for a second year in a row

The 28,952 robberies in 1998 accounted for 1 in 10 violent crimes. The rate of robbery decreased for a second consecutive year in 1998, with a 3% decline (Table 2). Since peaking in 1991, the total rate of robbery has generally been declining (Figure 6).

Figure 6

### Robbery incidents, Canada, 1988-1998



Source: Uniform Crime Reporting Survey, CCJS.

Fewer robberies now involve firearms. The rate for this type of robbery has generally been falling since 1991, including a 4% decrease in 1998. Over these seven years, the rate has dropped by 44%. The proportion of robberies committed with a firearm accounted for 18% of all robberies reported in 1998, compared to 25% ten years ago and 37% twenty years ago. In contrast, robberies involving weapons other than firearms (e.g., knives or blunt objects) have shown the largest rate increases of the three categories in the last decade, including a 3% rise in 1998. However, the rates related to this type of offence have remained relatively stable since 1992. Robberies with no weapons decreased in 1998 (-7%) and are now almost equal to their level ten years ago.

The rate of robbery declined in 11 of the 25 CMAs. Similar to previous years, rates of robbery showed large differences among the CMAs. The highest levels were reported by Winnipeg (248 incidents per 100,000 population) and Vancouver (216), while the lowest levels were recorded in Saint John (New Brunswick) (24) and St. John's (Newfoundland) (28).

Compared to other violent crimes, robbery is more likely to involve youths. In 1998, 36% of persons charged with robbery were youths compared with only 16% of persons charged with all violent crimes (Table 7).

#### Presence of firearms in violent crimes declining

According to a sample of 94 police services who have been reporting data to the UCRII survey since 1994 (including Toronto, Montreal and Vancouver), one violent incident in five



involved one of the most common weapons (firearm, knife, blunt instrument or, other piercing or cutting object) in 1998. The presence of these weapons has constantly declined since 1994. The presence of firearms in violent crime has gradually declined from 6.0% in 1994 to 4.8% in 1998. Firearms were present in 34% of homicide incidents, 29% of attempted murders, 18% of robberies (from the aggregate UCR survey), 10% of aggravated assaults and in 9% of assaults with a weapon. The presence of knives declined for the second straight year, accounting for 7.0% of all violent incidents in 1998.<sup>12</sup>

| Presence of Most Common Weapons in Violent<br>Incidents Sample of 94 Police Services, 1994-1998 |      |      |      |      |      |  |  |  |  |  |  |
|---|------|------|------|------|------|--|--|--|--|--|--|
|   | 1994 | 1995 | 1996 | 1997 | 1998 |  |  |  |  |  |  |
|   |      |      | %    |      |      |  |  |  |  |  |  |
| Firearms  | 6.5  | 6.0  | 6.1  | 5.2  | 4.8  |  |  |  |  |  |  |
| Knives  | 8.0  | 7.9  | 8.2  | 7.6  | 7.0  |  |  |  |  |  |  |
| Club/Blunt Instrument<br>Other Piercing/  | 7.8  | 6.7  | 6.3  | 6.4  | 6.2  |  |  |  |  |  |  |
| Cutting Objects Total Most Common   | 1.7  | 1.6  | 1.6  | 1.5  | 1.5  |  |  |  |  |  |  |
| Weapons   | 24.0 | 22.2 | 22.2 | 20.7 | 19.5 |  |  |  |  |  |  |

Source: Non-representative sample of 94 police services representing 35% of

# **Property Crime**

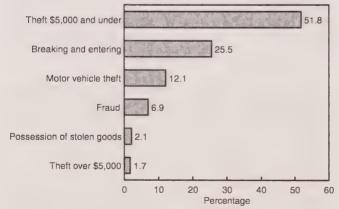
### Property crime rate continues to drop

all volume of crime

Property crime incidents involve unlawful acts with the intent of gaining property but do not involve the use or threat of violence. Theft, breaking and entering, fraud and possession of stolen goods are examples of property crimes (Figure 7). In 1998, there were approximately 1.38 million property crime incidents. The rate for these crimes has generally been decreasing since 1991, including a 7% drop in 1998. The



# Property crime categories, Canada, 1998



Source: Uniform Crime Reporting Survey, CCJS.

1998 rate was the lowest recorded by police services since 1977. It was also 19% lower than five years ago and 17% lower than ten years ago.

Except for Newfoundland (+3%), rates of property crime dropped in all provinces in 1998. Prince Edward Island (-14%), Ontario (-9%), British Columbia (-8%) and New Brunswick (-8%) experienced the largest declines (Table 3). These provinces (with the exception of New Brunswick) had also reported the largest drops in 1997. Despite the decrease in these offences over the last two years in British Columbia, this province continues to show the highest property crime rate (7,178 incidents per 100,000 population) (Figure 8). Following the general historical trend, Newfoundland reported the lowest rate (2,666), followed closely by Prince Edward Island (2,747).

Figure 8

# Property crime, Canada and the provinces, 1998

Rate per 100,000 population

8,000

7,000

6,000

5,000

Canada (4,541)

4,000

4,000 2,000 1,000 Nfld. P.E.I. N.S. N.B. Qc Ont. Man. Sask. Alta. B.C.

Source: Uniform Crime Reporting Survey, CCJS.

Most of the CMAs (21 out of 25) reported declines in their property crime rate. The largest drops were recorded in Toronto (-15%) and London (-14%) (Table 5). Fuelled by this latest drop, Toronto (3,354) now shows the lowest property crime rate, followed by Saint John (New Brunswick) (3,399). St. John's (Newfoundland) (+6%), Halifax (+5%) and Kitchener (+3%) showed the only considerable rises in property crime in 1998. Regina continued to report the highest property crime rate (8,950 incidents per 100,000 population), followed by Vancouver (8,239) and Saskatoon (6,311).

### Rate of breaking and entering continues to fall

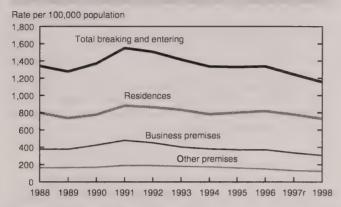
In total, there were 350,176 reported incidents of breaking and entering (B&E) in 1998, representing one-quarter of property crimes. The trend of B&E rates has generally been falling since 1991 (Figure 9), including a 7% decrease in both 1998 and 1997. Four in ten persons charged with this offence were youths (Table 7).<sup>13</sup>

<sup>12</sup> For further information, see "Weapons and Violent Crime", by Tracey Leestie, Juristat, Catalogue 85-002, Vol.17, No.7.

For further information, see "Breaking and Entering in Canada, 1996", by Rebecca Kong, *Juristat*, Catalogue 85-002, Vol.18, No. 5.

Figure 9

### Breaking and entering incidents, by type, Canada, 1988-1998



Source: Uniform Crime Reporting Survey, CCJS.

The majority of B&Es in 1998 occurred at private residences (63%). Businesses accounted for a further 26% of all B&Es, with the remaining 11% including other places such as sheds, storage facilities, etc. Decreases in all three categories contributed to the general decline of B&E rates: residential B&Es dropped 6% in 1998; commercial B&E declined 9%; and, "other" B&E decreased 6%.

The 1998 rate of B&E decreased in all CMAs except St. John's (Newfoundland) (+30%), Sherbrooke (+8%), Sudbury (+5%) and Kitchener (stable). The highest rates of B&Es were reported by Regina (2,571 incidents per 100,000 population), Vancouver (1,877) and Saskatoon (1,817), and the lowest rates were in Toronto (663) and Saint John (New Brunswick) (706).

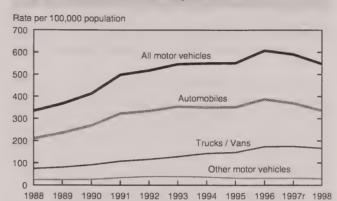
According to the Insurance Information Centre of Canada<sup>14</sup>, the average claim by home-owners and tenants for losses through B&E amounted to \$5,034 in 1996 (the most recent year for which data are available) and the average claim for commercial businesses amounted to \$5,162. In total, property losses associated with B&Es cost the insurance industry about \$398 million in 1996.

# After a decade of growth, theft of motor vehicles declines for the second year in a row

Motor vehicle theft accounted for a little more than 1 in 10 property crimes in 1998 (165,799 incidents). After steady growth for over a decade, the rate of motor vehicle theft decreased for a second consecutive year in 1998 (-7%) (Figure 10). The current rate, however, is still much higher (+64%) than ten years ago. <sup>15</sup> In particular, there has been a large increase in the number of "trucks" stolen in recent years, which includes mini-vans and sport-utility vehicles. This is not surprising given that the number of mini-vans and sport-utility vehicles on the road increased 59% between 1993 and 1997, while the total number of vehicles on the road grew by 9% over the same period. <sup>16</sup> In 1998, however, the theft of trucks dropped for the first time in 15 years (-5%).

Figure 10

### Motor vehicle theft, by type of vehicle, Canada, 1988-1998



Source: Uniform Crime Reporting Survey, CCJS.

Along with the decrease recorded at the national level, the rate of motor vehicle thefts declined in most of the CMAs (17 out of 25). Regina reported the highest rate (1,611 incidents per 100,000 population), followed by Winnipeg (1,270) and Vancouver (1,014). The lowest rates were reported by Saint John (New Brunswick) (164) and St. John's (Newfoundland) (182).

Theft of vehicles and their components cost the Canadian consumers approximately \$600 million per year in insurance premiums. <sup>17</sup> In recent years, the average claim for theft was much higher in British Columbia than in the other provinces.

As with incidents of breaking and entering, motor vehicle theft is described as a crime associated with youth. In 1998, 42% of persons charged with motor vehicle theft were youths aged 12 to 17 years compared to only 22% of persons charged with all other *Criminal Code* offences (Table 7).

#### Thefts account for one-third of all crimes

In 1998, the 736,598 incidents of theft (excluding motor vehicle thefts and B&Es) accounted for one-third of all *Criminal Code* incidents and over one-half of property crimes. The 1998 theft rate was 7% lower than the previous year and has generally been declining since 1991.

Of all thefts, 39% were thefts from motor vehicles, 13% were shoplifting, 10% were bicycle thefts, and 38% were "other" types of theft. Decreases were reported for all types of theft in 1998. Relative to other offences, a high proportion of persons charged (30% of adults and 33% of youth) with "theft \$5,000 and under" were female, most of whom were charged with shoplifting (Table 7).

<sup>14</sup> Members of the Insurance Information Centre of Canada represent about 80% of the total insurance industry.

For further information, see "Motor Vehicle Theft in Canada – 1996", by Julie Sauvé, *Juristat*, Catalogue 85-002, Vol.18, No. 1.

<sup>16</sup> Vehicle Information Centre of Canada. "How Cars Measure Up, 1996-1997" (published 1998).

<sup>17</sup> Vehicle Information Centre of Canada (idem).



# Drop in cheque frauds leading to a decrease of fraud in general

The rate of frauds declined for a seventh year in a row, with a 3% drop in 1998, primarily due to a decrease in the rate of cheque fraud. Within the last decade, the rate of cheque fraud has decreased 60%, reaching its lowest level in 1998. Cheque frauds now account for 35% of all frauds, compared to 59% in 1988.

Police statistics show that credit card frauds have grown over the last few years, including an 11% increase in 1998. Telemarketing fraud constitutes a growing concern among Canadians. In the UCR survey, this type of fraud is grouped under the category of "other frauds" which also includes forgery, insurance fraud, as well as types of fraud committed through technology such as banking card and cellular phone frauds. Although this category of "other frauds" has declined for the previous three years, it still comprises the largest category of frauds reported by police agencies (45%) in 1998.<sup>18</sup>

Many factors contribute to the explanation of the declining number of frauds reported by police services. Some argue that the drop is real and is attributable to the fact that Canadians have increased their use of technological banking transaction methods such as credit cards, banking cards, optical wire network (by phone) and the Internet. Therefore, the use of cheques, which are easier to forge, is declining.

Others argue that the downward trend in fraud is artificial and is merely due to the fact that police services do not have the expertise or resources to handle complex, technological frauds. There appears to be a trend of private business hiring specialized fraud investigators or creating in-house security services that will deal with these large-scale frauds. The growth of in-house security agencies also impacts on crime statistics because they are less likely, for various reasons, to

#### The New Firearms Legislation

The new Firearms Legislation, which stemmed from Bill C-68 adopted by Parliament in 1995, began its gradual introduction on December 1, 1998. The legislation created new offences for gun smuggling and trafficking, as well as prohibiting a number of different types of handguns, and introduced new mandatory penalties for those who use firearms during the commission of a crime.

The new law requires all firearm owners and users to obtain a firearm license before January 1, 2001 and to register all firearms (including rifles and shotguns) by January 1, 2003. The law aims at reducing the number of deaths and injuries attributable to firearms by encouraging safer usage and storage of firearms as well as facilitating the police investigations when incidents involve such weapons.

As a result of the new legislation, the UCR survey has undergone modifications to the statistical breakdowns related to offensive weapons and there has been a creation of a new general category entitled "Firearms Act" under "Other Federal Statutes". In 1999, the UCR survey will begin collecting data according to the new offences of illegal use of firearms, illegal possession of weapon, weapon trafficking and importation, and other offences related to weapons.

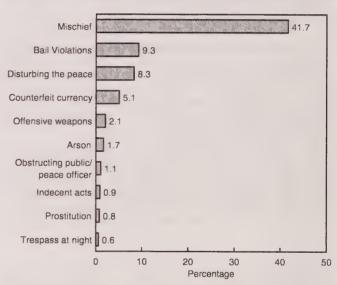
report fraud incidents to police. The proponents of this perspective also argue that the use of electronic banking transactions is making the detection of some types of fraud more difficult.

### Other Criminal Code Incidents

The 783,631 Criminal Code crimes that are not in the violent or property crime categories are reported under the category "Other Criminal Code". These crimes account for 3 in 10 Criminal Code incidents and include such crimes as mischief, weapons offences, prostitution, arson, bail violations and disturbing the peace (Figure 11).

Figure 11

# Selected "Other" Criminal Code categories, Canada, 1998



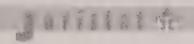
Source: Uniform Crime Reporting Survey, CCJS.

#### Offensive weapons crimes increase

Offensive weapons crimes include possession/use of prohibited and restricted weapons, possession of a weapon for the purpose of committing a crime, and careless use of a firearm. Prohibited weapons include spring-loaded knives, nunchaku sticks, fully-automatic firearms, and sawed-off shotguns or rifles ownership of which is prohibited. Restricted weapons, such as handguns, are strictly controlled and may only be owned under certain conditions (e.g., lawful use and registration with the police). Non-restricted weapons such as rifles and shotguns are also controlled and individuals are required to possess a valid licence to obtain such firearms. <sup>19</sup> The key components of the new firearms legislation are briefly summarized in the text box on this page.

<sup>&</sup>lt;sup>18</sup> For further information, see «The Changing Nature of Fraud», by Derek Janhevich, *Juristat*, Catalogue 85-002, Vol.18, No.4.

<sup>19</sup> Please refer to the Criminal Code of Canada and the Firearms Act for exact definitions and conditions.



The 16,735 offensive weapons crimes reported by police in 1998 accounted for less than 1% of *Criminal Code* incidents. After decreasing for three consecutive years, the rate of offensive weapon incidents increased 3% in 1998 (Table 2), mainly due to an increase in the illegal use of explosive and prohibited weapons.

# Arson has remained relatively stable over the last six years

Police reported 12,952 incidents of arson in 1998, a 1% increase over the 1997 rate (Table 2). From 1989 to 1992, the rate of arson jumped by 70%. Since then, the rate has remained relatively stable. It should be noted that the province of Manitoba recorded a very large increase in 1998, with a 63% jump, while most of the other provinces remained relatively constant. According to the UCRII survey, the most common targets for arson were motor vehicles (28%), residences (27%) and non-commercial enterprises (24%). Arson is also a type of crime frequently committed by youth: they accounted for 4 in 10 persons charged with arson (Table 7).

### The rate of mischief offences continues to decline

In 1998, the 325,884 mischief incidents reported by police accounted for 13% of total *Criminal Code* crimes and over 4 in 10 of "other" *Criminal Code* incidents (Table 2). The general decline in the rate of mischief incidents continued in 1998 with a 6% drop. Data from the UCRII survey show that motor vehicles were the most common targets of mischief (63%). Consistent with previous years, youths aged 12 to 17 years comprised one-third of persons charged with this offence in 1998 (Table 7).

### Prostitution-related incidents up slightly

Most prostitution-related crimes involve communicating with a person for the purpose of engaging in prostitution (including both prostitutes and clients) or stopping a vehicle for the same purpose. The rate of prostitution incidents reported by police climbed by 2% in 1998 (Table 2). The annual volume of prostitution incidents is highly sensitive to police law enforcement. The reader is cautioned that these practices may vary over time and across provinces and municipalities. Despite the small increase in 1998, the rate of prostitution incidents has generally been decreasing during the 1990s. However, offences related to bawdy houses have consistently increased since 1993, including considerable jumps of 19% in 1998 and 55% in 1997.

In 1998, 5,490 persons were charged with prostitution-related crimes, 53% of whom were female. Although some males charged were living from the avails of prostitution or were themselves prostitutes, it can be assumed that the majority of them were clients. Only 3% of persons charged by police in prostitution incidents in 1998 were youths. Child and youth prostitution is a serious concern for Canadians. Young people who come to the attention of police are often diverted to social services in lieu of being charged.<sup>20</sup> Therefore, it is important to note that UCR counts do not reflect the actual extent of child and youth prostitution.

#### Criminal Code Traffic Incidents

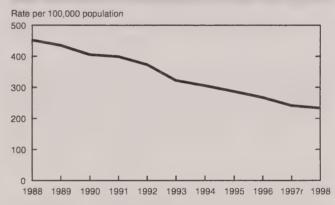
Police reported 140,536 incidents involving *Criminal Code* traffic crimes in 1998, resulting in a rate 10% below that of 1997 (Table 2). Impaired driving accounted for 62% of these incidents in 1998, failure to stop and/or remain at the scene of an accident accounted for 28%, and dangerous driving and driving while prohibited comprised the remaining 10%.

### Impaired driving incidents still declining

Impaired driving offences include impaired operation of a motor vehicle, boat or aircraft causing death or bodily harm; driving with over 80 mg. of alcohol per 100 ml. of blood; and, failing to provide a breath and/or blood sample when requested by a police officer. In 1998, police charged 70,587 persons with impaired driving, a decline of 3% below 1997, and a continuation of the long-term trend of declining rates (Figure 12). As with drug and prostitution offences, changes in statistics on impaired driving can be influenced by police enforcement, such as roadside checks.<sup>21</sup>

Figure 12

# Rate of persons charged with impaired driving, Canada, 1988-1998



Source: Uniform Crime Reporting Survey, CCJS.

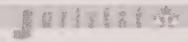
# **Drugs**

### All major drug categories increased

In 1998, a total of 71,293 incidents related to the *Controlled Drugs and Substances Act* (CDSA) were reported by Canadian police services. Cannabis offences accounted for 7 in 10 drug-related incidents reported in 1998: 68% were for possession, 15% for cultivation, 15% for trafficking, and 2% for importation. Almost 9 in 10 persons charged with drug offences were adults.

For more information, see "Street Prostitution in Canada", by Doreen Duchesne, *Juristat*, Catalogue 85-002, Vol.17, No.2.

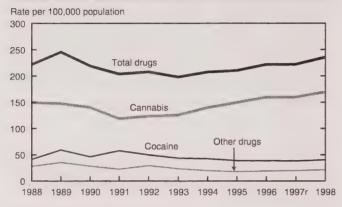
<sup>&</sup>lt;sup>21</sup> For further information, see "Impaired Driving in Canada, 1996", by Sylvain Tremblay, *Juristat*, Catalogue 85-002, Vol. 17, No.12.



Fuelled by an increase in cannabis-related offences (+6%), the rate of drug offences increased 6% in 1998 (Table 2). This latest rise in drug incidents continues the upward trend which began in 1993 (Figure 13). Following a seven-year decline, the cocaine rate increased in 1998 (+5%). The heroin offence rate also rose 6% in 1998, negating the 5% decline recorded in 1997.<sup>22</sup>

Figure 13

### Drug incidents, by type of drug, Canada, 1988-1998



Source: Uniform Crime Reporting Survey, CCJS

The rate of offences involving other drugs climbed for a second consecutive year (+8%). The *Controlled Drugs and Substances Act* distinguishes between two categories of "other drugs": 1) illicit drugs other than cannabis, cocaine and heroin as well as their derivatives (e.g. PCP [phencyclidine], LSD, and ecstasy), and 2) controlled drugs (e.g. amphetamines or steroids). As with prostitution and impaired driving, trends in drug-related crime are subject to police enforcement activities.

# Persons accused of property crimes are younger than those accused of violent crime

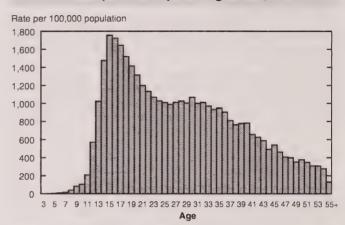
#### "Age-specific crime rates"

In previous years, the age distribution of accused persons was based on the actual number of persons accused by police. This did not take into account the age distribution of the entire population. This year for the first time, "age-specific" crime rates have been calculated using the age distribution for all census sub-divisions pertaining to UCRII survey respondents (see Figures 14a and 14b).

An analysis of age-specific crime rates indicates that 14 to 19 year-olds are the highest risk group for committing both property and violent offences (Figures 14a and 14b).

Figure 14a

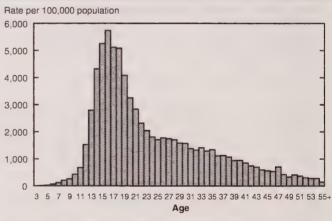
# Age specific rates of persons accused of violent crime, sample of 169 police agencies, 1998



Source: Revised Uniform Crime Reporting Survey, CCJS.

Figure 14b

# Age specific rates of persons accused of property crime, sample of 169 police agencies, 1998

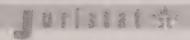


Source: Revised Uniform Crime Reporting Survey, CCJS.

More than 1 in 3 persons accused<sup>23</sup> of property crimes were aged 14 to 19 years, compared to nearly one-quarter of persons accused of violent crimes. However, after age 19, the rate drops more dramatically for property offences than for violent offences. This difference is illustrated by the fact that the median age of persons accused with property crimes was 22 years, compared to 29 years for those charged with violent offences.

For further information, see «Illicit Drugs and Crime», by Sylvain Tremblay, Juristat, Catalogue 85-002, Vol.19, No.1.

<sup>&</sup>lt;sup>23</sup> Persons accused refers to those involved in incidents "cleared by charge" and "cleared otherwise".



# A greater proportion of females charged among youth population than among adult population

The involvement of females in crime remains relatively low compared to males – only 18% of all persons charged with a *Criminal Code* offence in 1998 were female. However, Table 7 shows that the proportion of females charged was higher among youths aged 12 to 17 (23%) than among adults (18%). This difference was primarily due to the much higher proportion of female youths in violent crime (26% of youths charged), compared to female adults (14% of adults charged).

There were no significant differences between female youths and adults in their proportion of persons charged with property crimes (22% and 23% respectively).

### **Youth Crime**

#### Measuring youth crime

Young persons in conflict with the law may or may not be formally charged. The decision to proceed with the laying of a charge is influenced by many factors, one of which is the eligibility of the youth for an alternative measures program. As outlined in the Young Offenders Act, the objective of alternative measures (AM) is to avoid court proceedings for young persons, provided certain conditions are met. Generally, referrals to AM programs are made before charges are laid and are reserved for first time offenders. Addition, when dealing with first-time offenders involved in minor incidents, police may choose to deal with a youth informally by giving them a warning or discussing the incident with the youth's parents.

As a result, charge rates are influenced by the extent to which AM is used, whether AM is used at the pre- or post-charge stage, and the extent to which youths are dealt with informally. Consequently, there are limitations to using the youth charge rate as an indicator of the prevalence of youth crime, particularly with respect to measuring relatively minor offences committed by first time offenders. Data on youths not charged (i.e., AM or dealt with informally) are available from many jurisdictions and show that the rate of youths *not* charged has also been declining since 1991. This suggests that the decrease in youths charged is not simply a reflection of increased use of alternative measures.

#### Youth crime rate drops for a seventh straight year

Fuelled by a decrease in charges for property crimes (-8%), the overall rate of youths charged with *Criminal Code* offences dropped for a seventh consecutive year in 1998 (-4%) (Table 8). In total, youths aged 12 to 17 years were charged with *Criminal Code* offences at a rate of 4,363 per 100,000 youths, compared to 6,259 in 1991.

Youth crime is generally more property-oriented than crimes committed by adults. Property crimes accounted for half (51%) of youth crime, compared to only 37% of all adults charged. A further 20% of youths were charged with violent crime, compared to 29% of adults. The remaining youths were charged with other *Criminal Code* offences, such as mischief and offences against the administration of justice (e.g.: bail violations or escapes from custody). This distribution has changed from a decade ago when 68% of youths were

| Crime Distribution for Youths and Adults Charged I | οу |
|--|----|
| Police Services, Selected Offences, Canada, 1998   |    |

|  | Youths Charged | Adults Charged |
|--|----------------|----------------|
|  |                | %              |
| Total violent Crime                          | 20             | 29             |
| Assaults (level 1,2 & 3)                     | 16             | 25             |
| Robbery                                      | 3              | 2              |
| Total property Crime Theft \$5,000 and under | 51             | 37             |
| & theft over \$5,000                         | 23             | 18             |
| Breaking and entering                        | 15             | 6              |
| Theft motor vehicle                          | 6              | 2              |
| Total other <i>Criminal Code</i>             | 29             | 34             |
| Mischief                                     | 7              | 4              |
| TOTAL CRIMINAL CODE                          | 100            | 100            |

charged with property crimes and 10% with violent crimes. Increases in youths charged with common assault (level 1) and decreases in charges for theft and breaking and entering account for much of this shift.

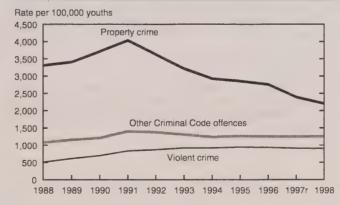
### Rate of youths charged with violent crime declining

In 1998, the rate of youths charged with violent crime declined slightly (-1%) for the third year in a row (Figure 15). Despite these latest drops, the violent youth crime rate is still much higher than 10 years ago (+77%).

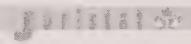
Among violent crimes committed by youth in 1998, the rate of robberies (-6%) and sexual assaults (-4%) showed decreases, while homicides (+3%) and assaults (+1%) increased. A total of 56 youths aged 12 to 17 years stood charged with homicide or 2 more than in 1997. Between 1988

Figure 15

# Rate of youths charged, by major category, Canada, 1988-1998



<sup>&</sup>lt;sup>24</sup> See "Alternative Measures for Youth in Canada", by Melanie Kowalski, Canadian Centre for Justice Statistics, Catalogue 85-002, Vol. 19, No. 8.



and 1998, the number of youths charged with homicide ranged from 36 in 1993 to a high of 68 in 1995, with an average of 51 youth each year (Table 8). The rate of youths charged with sexual assault decreased for the fifth year in a row, reaching its lowest level since 1988.

In recent years, concern has been raised about increasing violence among females, particularly young females. Over the last decade, the rate of female youths charged with violent crimes increased twice as fast (+127%) as for male youths (+65%). In 1998, the rate of male youths charged with violent crime dropped 1%, while the rate for female youths remained constant. However, the rate of female youths charged with violent crime (474 per 100,000 population) remained much lower than that for male youth (1,310).

# Rate of youths charged with property crimes continues to fall

In terms of property crimes, the rate of youths charged continued its downward trend, which began seven years ago, with an 8% drop in 1998 (Table 8). The rate of youths charged dropped for all property offences including theft (-9%), breaking and entering (-7%) and, motor vehicle theft (-5%). The rate of youths charged with B&E has consistently declined since 1991.

Despite declines for offensive weapons (-2%) and mischief (-2%), the rate of youths charged with other *Criminal Code* offences increased 1% in 1998.

# Methodology

### The Uniform Crime Reporting Survey

The Uniform Crime Reporting (UCR) Survey was developed by Statistics Canada with the co-operation and assistance of the Canadian Association of Chiefs of Police. The aggregate UCR survey, which became operational in 1962, collects crime and traffic statistics reported by all police agencies in Canada. UCR survey data reflect reported crime that has been substantiated through police investigation.

Currently, there are two levels of detail collected by the UCR survey:

#### 1. Aggregate UCR Survey

The aggregate-based UCR survey records the number of incidents reported to the police. It includes the number of reported offences and the number of actual offences, the

number of offences cleared by charge, the number of persons charged by sex and by an adult/youth breakdown. It does not include victim characteristics. Unless otherwise mentioned, all analysis in this report is based on aggregate survey counts.

The aggregate UCR survey classifies incidents according to the most serious offence in the incident, (generally the offence that carries the longest maximum sentence under the *Criminal Code* of Canada). In categorizing incidents, violent offences always take precedence over non-violent offences. As a result, less serious offences are underrepresented by the UCR survey.

The aggregate UCR survey scores violent incidents (except robbery) differently from other types of crime. For violent crime, a separate incident is recorded for each victim (i.e. if one person assaults three people, then three incidents are recorded; but if three people assault one person, only one incident is recorded). Robbery, however, is counted as if it were a non-violent crime in order to avoid inflating the number of victims (e.g. persons in a bank during a robbery). For non-violent crimes, one incident (categorized according to the *most serious offence*) is counted for every distinct or separate occurrence.

### 2. Revised UCR Survey - (UCRII Incident-based data file)

The revised micro data survey captures detailed information on individual criminal incidents reported to police, including characteristics of victims, accused persons and the incidents. In 1998, detailed data were collected from 169 departments in six provinces through the Revised UCR Survey. These data represent 46% of the national volume of reported actual Criminal Code crimes. The incidents contained in the 1998 Data File are distributed as follows: 41% from Quebec, 35% from Ontario, 12% from Alberta, 8% from British Columbia, 3% from Saskatchewan, and 1% from New Brunswick. Other than Quebec, the data are primarily from urban police departments. The reader is cautioned that these data are not nationally representative. Continuity with the UCR aggregate survey data is maintained by a conversion of the incident-based data to aggregate counts at year-end.

In this report, the crime rate excludes traffic violations as these data have proven to be volatile over time. This volatility is the result of changes in police procedures that allow for some traffic violations to be scored under either a provincial statute or the *Criminal Code* (e.g. failure to stop or remain at an accident).



Table 1

### Rates of Criminal Code Incidents, Canada, 1962 - 19981

|                   | Total C | riminal Code <sup>2</sup> | Vio   | lent crime | . Prop | perty crime | Other (        | Criminal Code |
|-------------------|---------|---------------------------|-------|------------|--------|-------------|----------------|---------------|
|                   | Rate    | % Change*                 | Rate  | % Change*  | Rate   | % Change*   | Rate           | % Change*     |
|                   |         | %                         |       | %          |        | %           |                | %             |
| 1998              | 8,102   | -4.1                      | 975   | -1.5       | 4,541  | -6.7        | 2,586          | -0.3          |
| 1997 <sup>r</sup> | 8,448   | -5.2                      | 990   | -1.1       | 4,864  | -7.6        | 2,594          | -2.1          |
| 1996              | 8,914   | -0.9                      | 1,000 | -0.7       | 5,264  | -0.4        | 2,650          | -1.9          |
| 1995              | 8,993   | -1.3                      | 1,007 | -3.7       | 5,283  | 0.6         | 2,702          | -4.1          |
| 1994              | 9,114   | -4.4                      | 1,046 | -3.2       | 5,250  | -5.8        | 2,817          | -2.2          |
| 1993              | 9,531   | -5.0                      | 1,081 | -0.3       | 5,571  | -5.6        | 2,879          | -5.6          |
| 1992              | 10,036  | -3.0                      | 1.084 | 2.3        | 5,902  | -4.2        | 3,051          | -2.3          |
| 1991              | 10,342  | 9.0                       | 1,059 | 8.9        | 6,160  | 9.8         | 3,122          | 7.7           |
| 1990              | 9,484   | 6.7                       | 973   | 6.8        | 5,611  | 6.1         | 2,900          | 7.8           |
| 1989              | 8,891   | -0.3                      | 911   | 5.0        | 5,289  | -2.8        | 2,691          | 3.0           |
| 1988              | 8,919   | -0.4                      | 868   | 4.6        | 5,438  | -2.1        | 2,612          | 1.5           |
| 1987              | 8,956   | 2.6                       | 829   | 5.6        | 5,552  | 0.0         | 2,575          | 7.6           |
| 1986              | 8,727   | 3.7                       | 785   | 6.9        | 5,550  | 1.8         | 2,392          | 7.4           |
| 1985              | 8,413   | 0.3                       | 735   | 4.8        | 5,451  | -0.9        | 2,227          | 1.9           |
| 1984              | 8,387   | -1.0                      | 701   | 3.1        | 5,501  | -1.9        | 2,185          | 0.1           |
| 1983              | 8,470   | -3.5                      | 679   | 1.2        | 5,608  | -4.0        | 2,182          | -3.5          |
| 1982              | 8,773   | 0.4                       | 671   | 2.7        | 5,840  | 1.4         | 2,162          | -2.6          |
| 1981              | 8,736   | 4.7                       | 654   | 2.8        | 5,759  | 5.8         | 2,322          | 2.6           |
| 1980              | 8,343   | 8.8                       | 636   | 4.3        | 5,444  | 11.0        | 2,322          | 5.1           |
| 1979              | 7,666   | 7.2                       | 610   | 5.1        | 4,903  | 7.1         |                |               |
| 1978              | 7,000   | 2.6                       | 580   | 1.4        | 4,579  | 2.5         | 2,153<br>1,995 | 7.9<br>3.2    |
| 1977              | 6,971   | -0.2                      | 572   | -2.0       | 4,466  | -1.5        |                |               |
|                   |         |                           |       |            |        |             | 1,933          | 3.5           |
| 1976              | 6,984   | 1.9                       | 584   | -0.2       | 4,533  | 0.8         | 1,867          | 5.6           |
| 1975              | 6,852   | 7.3                       | 585   | 5.9        | 4,498  | 8.4         | 1,769          | 5.1           |
| 1974              | 6,387   | 10.6                      | 553   | 5.6        | 4,151  | 12.1        | 1,684          | 8.9           |
| 1973              | 5,773   | 7.8                       | 524   | 5.3        | 3,704  | 1.9         | 1,546          | 26.3          |
| 1972              | 5,355   | 0.8                       | 497   | 1.0        | 3,634  | -0.4        | 1,224          | 4.6           |
| 1971              | 5,311   | 1.9                       | 492   | 2.4        | 3,649  | 3.8         | 1,170          | -3.9          |
| 1970              | 5,212   | 10.0                      | 481   | 6.2        | 3,515  | 12.6        | 1,217          | 4.6           |
| 1969              | 4,737   | 9.3                       | 453   | 7.1        | 3,120  | 10.4        | 1,164          | 7.1           |
| 1968              | 4,336   | 12.6                      | 423   | 11.0       | 2,826  | 13.8        | 1,087          | 10.3          |
| 1967              | 3,850   | 9.6                       | 381   | 9.9        | 2,484  | 10.0        | 985            | 8.7           |
| 1966              | 3,511   | 9.8                       | 347   | 15.9       | 2,258  | 8.0         | 907            | 12.0          |
| 1965              | 3,199   | -1.4                      | 299   | 5.4        | 2,091  | -2.6        | 809            | -0.7          |
| 1964              | 3,245   | 7.4                       | 284   | 13.8       | 2,146  | 4.9         | 815            | 12.3          |
| 1963              | 3,022   | 9.0                       | 249   | 13.0       | 2,047  | 8.2         | 726            | 10.1          |
| 1962              | 2,771   |                           | 221   |            | 1,891  | ***         | 659            |               |

<sup>&</sup>lt;sup>1</sup> Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics, 1998 report, produced by Statistics Canada, Demography Division. Populations as of June 1st: intercensal estimates from 1962 to 1970, without adjustment for net census undercoverage. Populations as of July 1st: intercensal estimates from 1971 to 1990, final intercensal estimates from 1991 to 1995, final postcensal estimates for 1996, updated postcensal estimates for 1997 and 1998.

Excluding traffic offences.
 Percent change based on unrounded rates.

<sup>...</sup> Figures not applicable

Revised figures

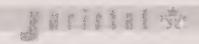


Table 2

### Federal Statute Incidents Reported to Police, by Most Serious Offence, Canada, 1994-19981

|                                   | 199        | 4     | 1995       |       | 1996       | 5     | 1997       | r     | 1998       |       | % change                          |
|-----------------------------------|------------|-------|------------|-------|------------|-------|------------|-------|------------|-------|-----------------------------------|
|                                   | Number     | Rate  | in rate <sup>1</sup><br>1997-1998 |
| Population                        | 29,035,981 |       | 29,353,854 |       | 29,671,892 |       | 30,003,955 |       | 30,300,422 |       |                                   |
| Homicide                          | 596        | 2.1   | 588        | 2.0   | 635        | 2.1   | 586        | 2.0   | 555        | 1.8   | -6.2                              |
| Attempted murder                  | 922        | 3.2   | 939        | 3.2   | 878        | 3.0   | 865        | 2.9   | 738        | 2.4   | -15.5                             |
| Assaults - Total (levels 1, 2, 3) | 222,300    | 766   | 217,618    | 741   | 219,919    | 741   | 222,397    | 741   | 223.260    | 737   | -0.6                              |
| Level 1                           | 181,577    | 625   | 178,934    | 610   | 181,545    | 612   | 183,087    | 610   | 183,440    | 605   | -0.8                              |
| Level 2-Weapon                    | 37,725     | 130   | 35.921     | 122   | 35,626     | 120   | 36,665     | 122   | 37,209     | 123   | 0.5                               |
| Level 3-Aggravated                | 2,998      | 10.3  | 2,763      | 9.4   | 2,748      | 9.3   | 2,645      | 8.8   | 2,611      | 8.6   | -2.3                              |
| Other assaults                    | 14,264     | 49    | 13,462     | 46    | 12,171     | 41    | 11,807     | 39    | 12,090     | 40    | 1.4                               |
| Sexual assaults - Total           | ,          |       |            |       | ,          |       | ,          |       | ,          |       |                                   |
| (levels 1, 2, 3)                  | 31,706     | 109   | 28,234     | 96    | 27,026     | 91    | 27,013     | 90    | 25,493     | 84    | -6.6                              |
| Level 1                           | 30,572     | 105   | 27,278     | 93    | 26,076     | 88    | 26,142     | 87    | 24,745     | 82    | -6.3                              |
| Level 2-Weapon                    | 769        | 2.6   | 659        | 2.2   | 653        | 2.2   | 602        | 2.0   | 529        | 1.7   | -13.0                             |
| Level 3-Aggravated                | 365        | 1.3   | 297        | 1.0   | 297        | 1.0   | 269        | 0.9   | 219        | 0.7   | -19.4                             |
| Other sexual offences             | 3,818      | 13    | 3,494      | 12    | 3.343      | 11    | 3,650      | 12    | 3,459      | 11    | -6.2                              |
| Abduction                         | 1,129      | 3.9   | 1,035      | 3.5   | 977        | 3.3   | 985        | 3.3   | 822        | 2.7   | -17.4                             |
| Robbery - Total                   | 29,010     | 100   | 30,332     | 103   | 31,797     | 107   | 29,587     | 99    | 28,952     | 96    | -3.1                              |
| Firearms                          | 7,361      | 25    | 6,692      | 23    | 6,737      | 23    | 5,486      | 18    | 5.348      | 18    | -3.5                              |
| Other Weapons                     | 9,386      | 32    | 10,127     | 34    | 10,543     | 36    | 9,945      | 33    | 10,318     | 34    | 2.7                               |
| No Weapons                        | 12,263     | 42    | 13,513     | 46    | 14,517     | 49    | 14,156     | 47    | 13,286     | 44    | -7.1                              |
| Violent crime - Total             | 303,745    | 1,046 | 295,702    | 1,007 | 296,746    | 1,000 | 296,890    | 990   | 295,369    | 975   | -1.5                              |
| Break & enter -Total              | 387,867    | 1,336 | 390,784    | 1.331 | 397.057    | 1,338 | 373,316    | 1,244 | 350,176    | 1,156 | -7.1                              |
| Business                          | 110,480    | 380   | 108.749    | 370   | 110,196    | 371   | 100,696    | 336   | 92,368     | 305   | -9.2                              |
| Residential                       | 227.199    | 782   | 235.129    | 801   | 242.639    | 818   | 233.724    | 779   | 220.889    | 729   | -6.4                              |
| Other                             | 50,188     | 173   | 46.906     | 160   | 44,222     | 149   | 38.896     | 130   | 36,919     | 122   | -6.0                              |
| Motor vehicle theft               | 159,469    | 549   | 161,696    | 551   | 180,123    | 607   | 177,130    | 590   | 165,799    | 547   | -7.3                              |
| Theft over \$5,000 (\$1,000       | ,          | 0.0   | ,          | 00,   | 100,120    | 001   | 177,100    | 000   | 100,700    | 0 17  | 7.0                               |
| prior to 1995)                    | 116,396    | 401   | 42,080     | 143   | 27,075     | 91    | 24,035     | 80    | 23,834     | 79    | -1.8                              |
| Theft \$5,000 and under (\$1,000  | ,          |       | 12,000     | . 10  | 21,070     | 01    | 21,000     | 00    | 20,001     | , ,   | 1.0                               |
| prior to 1995)                    | 727,414    | 2.505 | 820.908    | 2,797 | 823,732    | 2.776 | 758.292    | 2.527 | 712.764    | 2,352 | -6.9                              |
| Possession of stolen goods        | 30,130     | 104   | 31,293     | 107   | 31,772     | 107   | 29,799     | 99    | 28,733     | 95    | -4.5                              |
| Fraud                             | 103,243    | 356   | 103.964    | 354   | 102.052    | 344   | 96.964     | 323   | 94,575     | 312   | -3.4                              |
| Property crime - Total            | 1,524,519  | 5,250 | 1,550,725  | 5,283 | 1,561,811  | 5,264 | 1,459,536  | 4,864 | 1,375,881  | 4,541 | -6.7                              |
| Mischief                          | 396,904    | 1,367 | 380,041    | 1,295 | 365.830    | 1.233 | 341.854    | 1,139 | 325.884    | 1,076 | -5.6                              |
| Gaming and betting                | 421        | 1.4   | 568        | 1.9   | 766        | 2.6   | 423        | 1.4   | 443        | 1.5   | 3.7                               |
| Bail violation                    | 65,952     | 227   | 66.939     | 228   | 68.949     | 232   | 70.367     | 235   | 72,451     | 239   | 2.0                               |
| Disturbing the peace              | 51,213     | 176   | 51,401     | 175   | 54,563     | 184   | 57,704     | 192   | 64.995     | 215   | 11.5                              |
| Offensive weapons                 | 18.898     | 65    | 17.571     | 60    | 16,400     | 55    | 16,103     | 54    | 16,735     | 55    | 2.9                               |
| Prostitution                      | 5,575      | 19    | 7,170      | 24    | 6,397      | 22    | 5,828      | 19    | 5.985      | 20    | 1.7                               |
| Arson                             | 13,509     | 47    | 13,156     | 45    | 12,830     | 43    | 12,693     | 42    | 12,952     | 43    | 1.0                               |
| Other                             | 265,473    | 914   | 256,381    | 873   | 260,601    | 878   | 273,368    | 911   | 284,186    | 938   | 2.9                               |
| Other Criminal Code - Total       | 817,945    | 2,817 | 793,227    | 2,702 | 786,336    | 2,650 | 778,340    | 2,594 | 783,631    | 2,586 | -0.3                              |
| CRIMINAL CODE WITHOUT             |            |       |            |       |            |       |            |       |            |       |                                   |
| TRAFFIC - TOTAL                   | 2,646,209  | 9,114 | 2,639,654  | 8,993 | 2,644,893  | 8,914 | 2,534,766  | 8,448 | 2,454,881  | 8,102 | -4.1                              |
| Impaired driving <sup>2</sup>     | 107.768    | 371   | 102.285    | 348   | 96,280     | 324   | 90.145     | 300   | 87,385     | 288   | -4.0                              |
| Fail to stop/remain               | 60,138     | 207   | 54.180     | 185   | 49,896     | 168   | 49,781     | 166   | 39.085     | 129   | -22.3                             |
| Other                             | 18,529     | 64    | 17,419     | 59    | 16,286     | 55    | 15.302     | 51    | 14,066     | 46    | -9.0                              |
| Criminal Code Traffic - Total     | 186,435    | 642   | 173,884    | 592   | 162,462    | 548   | 155,228    | 517   | 140,536    | 464   | -10.4                             |
| CRIMINAL CODE - TOTAL             | 2,832,644  | 9,756 | 2,813,538  | 9,585 | 2,807,355  | 9,461 | 2,689,994  | 8,965 | 2,595,417  | 8,566 | -4.5                              |
| DRUGS                             | 60,153     | 207   | 61,613     | 210   | 65.729     | 222   | 66,593     | 222   | 71,293     | 235   | 6.0                               |
| OTHER FEDERAL STATUTES            | 40,525     | 140   | 36,121     | 123   | 34,274     | 116   | 35,204     | 117   | 34,981     | 115   | -1.6                              |
|                                   |            |       |            |       |            |       |            |       |            |       |                                   |

Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics, 1998 report, produced by Statistics Canada, Demography Division. Populations as of July 1<sup>51</sup>: final intercensal estimates for 1994 and 1995, final postcensal estimates for 1996, updated postcensal estimates for 1997 and 1998.

Includes impaired operation of a vehicle causing death, causing bodily harm, alcohol rate over 80mg, failure/refusal to provide a breath/blood sample.

<sup>\*</sup> Percent change based on unrounded rates.

r Revised figures

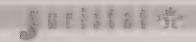


Table 3

### Selected Criminal Code Incidents, Canada and the Provinces/Territories, 19981

|  | Nfld.                  | P.E.I.                  | N.S.                    | N.B.                    | Qc                       | Ont.                      | Man.                      | Sask.                    | Alta.                    | B.C.                      | Yukon                    | N.W.T.                  | Canada                     |
|--|------------------------|-------------------------|-------------------------|-------------------------|--------------------------|---------------------------|---------------------------|--------------------------|--------------------------|---------------------------|--------------------------|-------------------------|----------------------------|
| Population   | 544,400                | 136,388                 | 934,587                 | 752,999                 | 7,333,283                | 11,411,547                | 1,138,872                 | 1,024,387                | 2,914,918                | 4,009,922                 | 31,651                   | 67,468                  | 30,300,422                 |
| Homicide<br>number<br>rate<br>% change in rate*  | 7<br>1.3<br>1.8        | -                       | 24<br>2.6<br>0.0        | 5<br>0.7<br>-37.4       | 137<br>1.9<br>3.4        | 155<br>1.4<br>-14.1       | 33<br>2.9<br>6.3          | 32<br>3.1<br>27.7        | 64<br>2.2<br>2.1         | 90<br>2.2<br>-23.4        | 3<br>9.5<br>             | 5<br>7.4<br>            | <b>55</b> 5<br>1.8<br>-6.2 |
| Sexual Assault (1,2,3)<br>number<br>rate<br>% change in rate*                              | 610<br>112<br>-28.0    | 156<br>114<br>10.2      | 951<br>102<br>-20.1     | 866<br>115<br>-6.9      | 3,236<br>44<br>0.1       | 9,012<br>79<br>-1.4       | 1,287<br>113<br>-16.2     | 1,505<br>147<br>-11.7    | 2,911<br>100<br>-8.0     | 4,391<br>110<br>-6.4      | 107<br>338<br>-3.6       | 461<br>683<br>-20.5     | 25,493<br>84<br>-6.6       |
| Assault (1,2,3)<br>number<br>rate<br>% change in rate*                                     | 3,934<br>723<br>-2.9   | 755<br>554<br>-2.8      | 7,269<br>778<br>-11.2   | 5,161<br>685<br>2.5     | 31,706<br>432<br>4.3     | 78,021<br>684<br>-0.9     | 14,084<br>1,237<br>-5.5   | 12,499<br>1,220<br>5.6   | 24,214<br>831<br>2.0     | 42,013<br>1,048<br>-3.1   | 737<br>2,329<br>-9.9     | 2,867<br>4,249<br>4.0   | 223,260<br>737<br>-0.6     |
| Robbery<br>number<br>rate<br>% change in rate*   | 74<br>14<br>10.8       | 24<br>18<br>41.6        | 458<br>49<br>7.0        | 145<br>19<br>0.1        | 8,010<br>109<br>-2.7     | 9,152<br>80<br>-2.7       | 1,821<br>160<br>-14.9     | 990<br>97<br>1.4         | 2,560<br>88<br>6.8       | 5,669<br>141<br>-5.6      | 12<br>38<br>-54.7        | 37<br>55<br>-9.3        | 28,952<br>96<br>-3.1       |
| Violent crime - Total<br>number<br>rate<br>% change in rate*                               | 4,864<br>893<br>-7.8   | 994<br>729<br>0.1       | 9,155<br>980<br>-11.0   | 6,632<br>881<br>1.8     | 47,146<br>643<br>2.6     | 101,959<br>893<br>-1.4    | 18,295<br>1,606<br>-6.7   | 16,265<br>1,588<br>2.9   | 31,605<br>1,084<br>1.0   | 53,901<br>1,344<br>-3.8   | 919<br>2,904<br>-11.1    | 3,634<br>5,386<br>-1.6  | 295,369<br>975<br>-1.5     |
| Breaking & Entering<br>number<br>rate<br>% change in rate*                                 | 4,479<br>823<br>17.9   | 700<br>513<br>-21.6     | 9,118<br>976<br>-1.9    | 5,574<br>740<br>-8.7    | 97,774<br>1,333<br>-6.2  | 101,126<br>886<br>-7.7    | 16,023<br>1,407<br>-5.0   | 17,813<br>1,739<br>-5.6  | 29,861<br>1,024<br>-6.7  | 65,457<br>1,632<br>-10.2  | 608<br>1,921<br>-19.9    | 1,643<br>2,435<br>0.2   | 350,176<br>1,156<br>-7.1   |
| Motor Vehicle Theft<br>number<br>rate<br>% change in rate*                                 | 644<br>118<br>29.6     | 181<br>133<br>-31.5     | 2,816<br>301<br>8.6     | 1,299<br>173<br>-14.8   | 47,244<br>644<br>-4.5    | 50,372<br>441<br>-11.1    | 10,539<br>925<br>-6.9     | 7,263<br>709<br>3.5      | 15,519<br>532<br>-2.0    | 29,318<br>731<br>-11.4    | 213<br>673<br>1.4        | 391<br>580<br>0.5       | 165,799<br>547<br>-7.3     |
| Other Theft<br>number<br>rate<br>% change in rate*   | 7,563<br>1,389<br>-6.1 | 2,322<br>1,702<br>-12.8 | 22,221<br>2,378<br>1.6  | 11,185<br>1,485<br>-7.6 | 133,909<br>1,826<br>-7.0 | 244,920<br>2,146<br>-10.0 | 27,616<br>2,425<br>-5.2   | 30,090<br>2,937<br>-1.1  | 80,124<br>2,749<br>-3.1  | 173,499<br>4,327<br>-6.0  | 1,224<br>3,867<br>-11.4  | 1,925<br>2,853<br>3.2   | 736,598<br>2,431<br>-6.8   |
| Property crime - Total<br>number<br>rate<br>% change in rate*                              | 14,512<br>2,666<br>2.8 | 3,747<br>2,747<br>-13.7 | 37,964<br>4,062<br>-0.2 | 21,181<br>2,813<br>-8.0 | 298,821<br>4,075<br>-6.1 | 440,912<br>3,864<br>-9.2  | 58,762<br>5,160<br>-5.6   | 62,287<br>6,080<br>-2.3  | 143,471<br>4,922<br>-2.4 | 287,816<br>7,178<br>-7.6  | 2,210<br>6,982<br>-14.2  | 4,198<br>6,222<br>-1.2  | 1,375,881<br>4,541<br>-6.7 |
| Offensive weapons<br>number<br>rate<br>% change in rate*                                   | 126<br>23<br>-5.0      | 37<br>27<br>-42.9       | 489<br>52<br>2.1        | 221<br>29<br>-36.4      | 997<br>14<br>-3.8        | 7,112<br>62<br>9.1        | 1,070<br>94<br>-11.1      | 860<br>84<br>3.8         | 1,945<br>67<br>-6.8      | 3,697<br>92<br>9.9        | 41<br>130<br>-25.4       | 140<br>208<br>-19.6     | 16,735<br>55<br>2.9        |
| Mischief<br>number<br>rate<br>% change in rate*  | 4,723<br>868<br>1.8    | 1,414<br>1,037<br>-13.4 | 11,942<br>1,278<br>-8.2 | 6,561<br>871<br>3.3     | 54,649<br>745<br>-7.1    | 106,538<br>934<br>-6.2    | 21,339<br>1,874<br>-2.6   | 17,255<br>1,684<br>1.3   | 38,601<br>1,324<br>-3.4  | 58,378<br>1,456<br>-8.9   | 785<br>2,480<br>-20.4    | 3,699<br>5,483<br>9.6   | 325,884<br>1,076<br>-5.6   |
| Other Criminal Code - Total<br>number<br>rate<br>% change in rate*                         | 12,218<br>2,244<br>7.5 | 3,820<br>2,801<br>-3.4  | 28,956<br>3,098<br>-5.2 | 18,845<br>2,503<br>6.4  | 125,095<br>1,706<br>-4.1 | 258,252<br>2,263<br>-1.0  | 43,828<br>3,848<br>1.0    | 48,504<br>4,735<br>8.5   | 88,528<br>3,037<br>-1.2  | 145,144<br>3,620<br>1.0   | 2,576<br>8,139<br>-13.4  | 7,865<br>11,657<br>11.9 | 783,631<br>2,586<br>-0.3   |
| CRIMINAL CODE - TOTAL -<br>without traffic offences<br>number<br>rate<br>% change in rate* | 31,594<br>5,803<br>2.7 | 8,561<br>6,277<br>-7.9  | 76,075<br>8,140<br>-3.6 | 46,658<br>6,196<br>-1.3 | 471,062<br>6,424<br>-4.8 | 801,123<br>7,020<br>-5.8  | 120,885<br>10,614<br>-3.5 | 127,056<br>12,403<br>2.2 | 263,604<br>9,043<br>-1.6 | 486,861<br>12,141<br>-4.8 | 5,705<br>18,025<br>-13.3 | 15,697<br>23,266<br>4.9 | 2,454,881<br>8,102<br>-4.1 |

Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics, 1998 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: updated postcensal estimates for 1997 and 1998.
 Percent change based on unrounded rates.

<sup>...</sup> Figures not appropriate or applicable
- Nil or zero

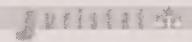


Table /

## Selected Criminal Code Incidents for Major Metropolitan Areas, 1998 1,2

|   | Toronto       | Montréal      | Vancouver       | Edmonton        | Calgary         | Ottawa <sup>3</sup> | Québec  | Winnipeg     | Hamilton  |
|---|---------------|---------------|-----------------|-----------------|-----------------|---------------------|---------|--------------|-----------|
| Population                                      | 4,594,880     | 3,428,304     | 1,995,927       | 917,536         | 907,112         | 801,555             | 687,155 | 676,432      | 658,618   |
| Homicide  |               |               |                 |                 |                 |                     |         |              |           |
| number  | 76            | 65            | 45              | 22              | 19              | 4                   | 15      | 18           | 6         |
| rate  | 1.7           | 1.9           | 2.3             | 2.4             | 2.1             | 0.5                 | 2.2     | 2.7          | 0.9       |
| % change in rate*                               | -10.3         | -12.6         | -14.7           | -23.1           | 103.3           | -56.0               | 66.3    | -14.1        | -46.1     |
| Sexual assault (1,2,3)                          |               |               |                 |                 |                 |                     |         |              |           |
| number  | 2,579         | 1,497         | 1,482           | 817             | 613             | 558                 | 302     | 477          | 599       |
| rate  | 57            | 44            | 84              | 89              | 68              | 70                  | 44      | 71           | 91        |
| % change in rate*                               | 0.3           | -3.2          | 4.8             | -14.9           | 0.0             | -18.1               | 1.8     | -12.1        | 0.8       |
| Assault (1,2,3)                                 |               |               |                 |                 |                 |                     |         |              |           |
| number  | 28,618        | 18,274        | 16,825          | 6,412           | 5,759           | 5,202               | 2,115   | 6,049        | 5,542     |
| rate  | 623           | 533           | 939             | 699             | 635             | 649                 | 308     | 894          | 841       |
| % change in rate*                               | -7.0          | 6.6           | 6.5             | 0.9             | 2.5             | -1.5                | -9.1    | -11.5        | -7.6      |
| Robbery   |               |               |                 |                 |                 |                     |         | , , , ,      | 7.0       |
| number  | 5,669         | 6,535         | 4,306           | 1,309           | 965             | 1,027               | 440     | 1 675        | 447       |
| rate  | 123           | 191           | 216             | 1,309           | 106             | 128                 | 64      | 1,675<br>248 | 447<br>68 |
| % change in rate*                               | -6.2          | 2.0           | -8.4            | 18.9            | -9.6            | 0.3                 | -30.5   | -15.9        | -9.5      |
|   | 0.2           | 2.0           | 0.1             | 10.0            | 5.0             | 0.0                 | 00.5    | 15.5         | 3.5       |
| Violent crime - Total                           | 20 202        | 20 250        | 92 259          | 0.420           | 7 700           | 7.047               | 0.404   | 0.700        | 0.710     |
| number<br>rate                                  | 38,392<br>836 | 28,358<br>827 | 23,352<br>1,170 | 9,139           | 7,700           | 7,047               | 3,131   | 8,786        | 6,749     |
| % change in rate*                               | -2.2          | 4.9           | -5.2            | 996<br>2.0      | 849<br>0.4      | 879<br>-2.6         | 456     | 1,299        | 1,025     |
|   | 2.2           | 4.3           | -5.2            | 2.0             | 0.4             | -2.0                | -11.4   | -10.8        | -7.3      |
| Break & enter                                   | 00.470        | 50.545        |                 |                 |                 |                     |         |              |           |
| humber  | 30,470        | 50,545        | 37,461          | 9,909           | 9,841           | 8,143               | 7,845   | 9,391        | 6,114     |
| rate  | 663           | 1,474         | 1,877           | 1,080           | 1,085           | 1,016               | 1,142   | 1,388        | 928       |
| % change in rate*                               | -12.3         | -5.2          | -12.6           | -11.0           | -4.3            | -20.2               | -12.2   | -6.5         | -3.4      |
| Motor vehicle theft                             |               |               |                 |                 |                 |                     |         |              |           |
| number  | 18,701        | 31,489        | 20,237          | 4,441           | 6,827           | 6,106               | 2,436   | 8,590        | 5,037     |
| rate  | 407           | 919           | 1,014           | 484             | 753             | 762                 | 355     | 1,270        | 765       |
| % change in rate*                               | -11.5         | -5.0          | -9.0            | -9.0            | 0.0             | -4.3                | -13.4   | -6.0         | -19.3     |
| Other theft                                     |               |               |                 |                 |                 |                     |         |              |           |
| number  | 89,482        | 75,505        | 98,886          | 25,177          | 26,735          | 20,263              | 12,404  | 18,339       | 13,401    |
| rate  | 1,947         | 2,202         | 4,954           | 2,744           | 2,947           | 2,528               | 1,805   | 2,711        | 2,035     |
| % change in rate*                               | -17.6         | -9.3          | -5.7            | -6.0            | -3.1            | -7.4                | -4.5    | -3.5         | -4.9      |
| Property crime - Total                          |               |               |                 |                 |                 |                     |         |              |           |
| number  | 154,126       | 168,746       | 164,446         | 45,733          | 47,659          | 36,815              | 24,123  | 38,672       | 26,067    |
| rate  | 3,354         | 4,922         | 8,239           | 4,984           | 5,254           | 4,593               | 3,511   | 5,717        | 3,958     |
| % change in rate*                               | -14.8         | -6.8          | -7.4            | -5.5            | -1.7            | -11.0               | -8.3    | -4.3         | -7.5      |
| Offensive weapons                               |               |               |                 |                 |                 |                     |         |              |           |
| number  | 1,692         | 384           | 1,672           | 512             | 291             | 448                 | 55      | 430          | 231       |
| rate  | 37            | 11            | 84              | 56              | 32              | 56                  | 8       | 64           | 35        |
| % change in rate *                              | 2.8           | -4.7          | 34.8            | 6.6             | -3.4            | 4.9                 | -21.6   | -15.5        | 7.2       |
| Mischief  |               |               |                 |                 |                 |                     |         |              |           |
| number  | 29,105.       | 27,155        | 23,930          | 11,088          | 9,052           | 8,156               | 5,503   | 11,690       | 5,429     |
| rate  | 633           | 953           | 1,199           | 1,208           | 998             | 1,018               | 801     | 1,728        | 824       |
| % change in rate*                               | -14.4         | 9.8           | -7.7            | -7.2            | -7.4            | -1.9                | -6.6    | -0.5         | -3.1      |
| Other Criminal Code - Total                     |               |               |                 |                 |                 |                     |         |              | 5.1       |
| number  | 75,764        | 69,578        | 54,554          | 25,284          | 15,516          | 17,634              | 9,493   | 19,859       | 13,776    |
| rate  | 1,649         | 2,030         | 2,733           | 2,756           | 1,710           | 2,200               | 1,381   | 2,936        | 2,092     |
| % change in rate*                               | -6.7          | -3.2          | 3.6             | -4.5            | -3.4            | -3.0                | -8.9    | 2,530        | 3.2       |
|   |               |               |                 | 110             | 01.7            | 0.0                 | 0.5     | £.3          | u.Z       |
| CRIMINAL CODE - TOTAL - excluding Tra<br>number | 268,282       | 266,682       | 242,352         | 90 456          | 70.075          | 61 400              | 26 747  | 67.047       | 40 500    |
| rate  | 5,839         | 7,779         | 12,142          | 80,156<br>8,736 | 70,875<br>7,813 | 61,496<br>7,672     | 36,747  | 67,317       | 46,592    |
|   | -11.0         | -4.8          | -4.9            | 0,700           | 7,013           | 1,012               | 5,348   | 9,952        | 7,074     |

<sup>1</sup> Comparable data for all police services are available upon request.

Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics, 1998 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: updated postcensal estimates for 1997 and 1998. The intercensal estimates match the jurisdictional boundaries of the police department.

Ottawa represents the Ontario part of the Ottawa-Hull CMA.

<sup>\*</sup> Percent change based on unrounded rates.

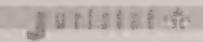


Table 5

### Crime Rates for Census Metropolitan Areas by Major Crime Category, Canada, 1998 1,2

|                                     |            | Total CC | Offences <sup>3</sup> | Violen | t crime              | Property crime |                       |  |
|-------------------------------------|------------|----------|-----------------------|--------|----------------------|----------------|-----------------------|--|
|                                     | Population | rate     | % change in rate*     | rate   | % change<br>in rate* | rate           | % change<br>in rate * |  |
| Regina                              | 199.539    | 14,785   | 2.0                   | 1,649  | 0.8                  | 8,950          | -1.9                  |  |
| Vancouver                           | 1,995,927  | 12,142   | -4.9                  | 1,170  | -5.2                 | 8,239          | -7.4                  |  |
| Saskatoon                           | 229.302    | 11,777   | -1.3                  | 1.407  | 2.4                  | 6,311          | -7.6                  |  |
| Victoria                            | 318,124    | 11,380   | -1.3                  | 1,340  | -4.1                 | 6,024          | -3.9                  |  |
| Thunder Bay                         | 128,607    | 10,379   | -7.0                  | 1,740  | -3.3                 | 4,858          | -9.8                  |  |
| Winnipeg                            | 676,432    | 9,952    | -3.2                  | 1,299  | -10.8                | 5,717          | -4.3                  |  |
| Halifax                             | 347,984    | 9,628    | 0.0                   | 996    | -12.5                | 5,929          | 4.6                   |  |
| Edmonton                            | 917,536    | 8,736    | -4.4                  | 996    | 2.0                  | 4,984          | -5.5                  |  |
| London                              | 418,180    | 8,284    | -10.3                 | 895    | 1.8                  | 4,918          | -14.3                 |  |
| Windsor                             | 296,726    | 7,892    | -5.5                  | 918    | 7.2                  | 4,236          | -10.0                 |  |
| Calgary                             | 907,112    | 7,813    | -1.8                  | 849    | 0.4                  | 5,254          | -1.7                  |  |
| Montréal                            | 3,428,304  | 7,779    | -4.8                  | 827    | 4.9                  | 4,922          | -6.8                  |  |
| Ottawa <sup>4</sup>                 | 801,555    | 7,672    | -7.9                  | 879    | -2.6                 | 4,593          | -11.0                 |  |
| St. Catharines-Niagara <sup>5</sup> | 422,036    | 7,465    | -3.4                  | 641    | -5.1                 | 4,328          | -6.9                  |  |
| St. John's                          | 173,586    | 7,385    | 5.8                   | 968    | -3.6                 | 4,251          | 6.1                   |  |
| Sudbury                             | 163,313    | 7,102    | -6.4                  | 883    | -1.9                 | 4,276          | -8.0                  |  |
| Saint John                          | 127,280    | 7,080    | 0.6                   | 1,116  | 1.5                  | 3,399          | -6.9                  |  |
| Hamilton                            | 658,618    | 7,074    | -4.5                  | 1,025  | -7.3                 | 3,958          | -7.5                  |  |
| Kitchener <sup>5</sup>              | 433,354    | 6,849    | 3.5                   | 797    | 6.8                  | 4,295          | 3.1                   |  |
| Hull <sup>6</sup>                   | 255,193    | 6,715    | -9.9                  | 701    | -6.5                 | 4,089          | -9.1                  |  |
| Trois-Rivières                      | 142,448    | 6,374    | -6.9                  | 492    | 1.9                  | 4,103          | -5.6                  |  |
| Chicoutimi-Jonquière                | 146,691    | 6,311    | -10.3                 | 571    | -5.1                 | 4,309          | -11.0                 |  |
| Sherbrooke                          | 152,655    | 5,929    | -0.7                  | 411    | -1.7                 | 4,023          | 0.3                   |  |
| Toronto                             | 4,594,880  | 5,839    | -11.0                 | 836    | -2.2                 | 3,354          | -14.8                 |  |
| Québec                              | 687,155    | 5,338    | -8.9                  | 455    | -11.6                | 3,505          | ~8.5                  |  |

Comparable data for all police services are available upon request.

Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics, 1998 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: updated postcensal estimates for 1997 and 1998. The intercensal estimates match the jurisdictional boundaries of the police department. The Oshawa Census Metropolitain Area (CMA) is excluded from this table due to methodological concerns with the matching of the police agency jurisdictional boundaries and the CMA boundaries.

Includes crimes other than violent and property, but excludes traffic.

Ottawa represents the Ontario part of the Ottawa-Hull CMA.

Populations were adjusted to follow policing boundaries.

<sup>6</sup> Hull represents the Quebec part of the Ottawa-Hull CMA.

<sup>\*</sup> Percent change based on non-rounded rates.

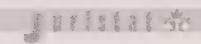


Table 6

## Victims of Violent Crime by Age Group and Gender, Selected Incidents, 1998

|                                 | Total | by Age Grou | р     |                  |       |                    |        |        |          |
|---------------------------------|-------|-------------|-------|------------------|-------|--------------------|--------|--------|----------|
|                                 | A     | dults       |       | outh<br>7 years) |       | idren<br>12 years) | Adults | Youths | Children |
|                                 | Males | Females     | Males | Females          | Males | Females            |        |        |          |
|                                 |       | %           |       | %                |       | %                  |        | %      |          |
| Homicide <sup>1</sup>           | 70    | 30          | 56    | 44               | 56    | 44                 | 85     | 5      | 10       |
| Attempted murder                | 75    | 25          | 77    | 23               | 45    | 55                 | 91     | 6      | 2        |
| Assault (levels 1, 2, 3)        | 49    | 51          | 61    | 39               | 66    | 34                 | 79     | 15     | 5        |
| Other assaults                  | 81    | 19          | 65    | 35               | 69    | 31                 | 95     | 4      | 2        |
| Sexual assault (levels 1, 2, 3) | 8     | 92          | 13    | 87               | 30    | 70                 | 44     | 31     | 25       |
| Other sexual offences           | 19    | 81          | 20    | 80               | 31    | 69                 | 14     | 36     | 50       |
| Abduction                       |       |             | 44    | 56               | 56    | 44                 |        | 19     | 81       |
| Robbery                         | 56    | 44          | 83    | 17               | 81    | 19                 | 77     | 21     | 2        |
| Criminal harassment             | 21    | 79          | 21    | 79               | 38    | 62                 | 91     | 7      | 1        |
| Kidnapping/hostage taking       | 34    | 66          | 33    | 67               | 49    | 51                 | 79     | 15     | 6        |

These data are based on the Homicide Survey, CCJS.

Source: 1998 Uniform Crime Reporting Incident-based Data File - CCJS, non-representative sample of 169 police agencies accounting for 46% of the National Volume of Crime.

Not applicable

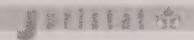


Table 7

### Persons Charged by Age Group and Gender, Selected Incidents, 1998

|   |      | Age Group |      | Total by Age Group |        |       |
|---|------|-----------|------|--------------------|--------|-------|
|   | Adu  | lts       | You  | th                 | Adults | Youth |
|   | Male | Female    | Male | Female             |        |       |
|   |      | %         |      | %                  |        | %     |
| Homicides <sup>1</sup>                    | 87   | 13        | 96   | 4                  | 88     | 12    |
| Attempted murder                          | 88   | 12        | 96   | 4                  | 88     | 12    |
| Assaults                                  | 85   | 15        | 70   | 30                 | 85     | 15    |
| Sexual assaults                           | 98   | 2         | 97   | 3                  | 85     | 15    |
| Other sexual offences                     | 97   | 3         | 97   | 3                  | 86     | 14    |
| Abduction                                 | 55   | 45        | 100  | 0                  | 96     | 4     |
| Robbery                                   | 91   | 9         | 85   | 15                 | 64     | 36    |
| Violent crime - Total                     | 86   | 14        | 74   | 26                 | 84     | 16    |
| Break and enter                           | 94   | 6         | 90   | 10                 | 60     | 40    |
| Motor vehicle theft                       | 93   | 7         | 86   | 14                 | 58     | 42    |
| Fraud                                     | 70   | 30        | 67   | 33                 | 93     | 7     |
| Theft over \$5,000                        | 79   | 21        | 83   | 17                 | 81     | 19    |
| Theft \$5,000 and under                   | 70   | 30        | 67   | <b>3</b> 3         | 73     | 27    |
| Property crime - Total                    | 77   | 23        | 78   | 22                 | 72     | 28    |
| Mischief                                  | 88   | 12        | 89   | 11                 | 66     | 34    |
| Arson                                     | 81   | 19        | 87   | 13                 | 59     | 41    |
| Prostitution                              | 46   | 54        | 10   | 90                 | 97     | 3     |
| Offensive weapons                         | 92   | 8         | 92   | 8                  | 79     | 21    |
| Criminal Code - Total (excluding traffic) | 82   | 18        | 77   | 23                 | 78     | 22    |
| Impaired driving <sup>2, 3</sup>          | 90   | 10        | 88   | 12                 | 99     | 1     |
| Cocaine - Possession                      | 82   | 18        | 68   | 32                 | 95     | 5     |
| Cocaine - Trafficking                     | 84   | 16        | 72   | 28                 | 95     | 5     |
| Cannabis - Possession                     | 90   | 10        | 89   | 11                 | 83     | 17    |
| Cannabis - Trafficking                    | 84   | 16        | 89   | 11                 | 85     | 15    |

These data are based on the Homicide Survey, CCJS.
Includes impaired operation of a vehicle causing death, causing bodily harm, alcohol rate over 80 mg., failure/refusal to provide a breath/blood sample.
These data on impaired driving come from the Revised Uniform Crime Survey.

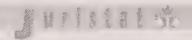


Table 8

### Youths Charged in Criminal Code Incidents, Canada, 1988 - 19981

|   |                  | 1000             |                  |                  | 1002             |                  | 1004          | 1005          | 1000          | 000000000000000000000000000000000000000 | 1000          |
|---|------------------|------------------|------------------|------------------|------------------|------------------|---------------|---------------|---------------|---|---------------|
|   | 1988             | 1989             | 1990             | 1991             | 1992             | 1993             | 1994          | 1995          | 1996          | 1997 <sup>r</sup>                       | 1998          |
| Population (aged 12-17)                 | 2,247,861        | 2,244,017        | 2,256,094        | 2,273,918        | 2,305,122        | 2,330,863        | 2,359,075     | 2,386,304     | 2,417,604     | 2,439,839                               | 2,451,946     |
| Homicide                                |                  |                  |                  |                  |                  |                  |               |               |               |   |               |
| number                                  | 48               | 48               | 49               | 49               | 53               | 36               | 52            | 68            | 49            | 54                                      | 56            |
| rate % change in rate*                  | 2.1<br>37.7      | 2.1<br>0.2       | 2.2<br>1.5       | 2.2<br>-0.8      | 2.3<br>6.7       | 1.5<br>-32.8     | 2.2<br>42.7   | 2.8<br>15.9   | 2.0<br>-28.9  | 2.2<br>9.2                              | 2.3<br>3.2    |
|   | 01.1             | 0.2              | 1.0              | -0.0             | 0.7              | -02.0            | 76.1          | 13.3          | -20.5         | 3.2                                     | 3.2           |
| Assaults (levels 1, 2, 3)<br>number     | 7,679            | 9,245            | 10,797           | 12,815           | 13,584           | 14,981           | 15,363        | 15,898        | 15,945        | 15,612                                  | 15,830        |
| rate                                    | 342              | 412              | 479              | 564              | 589              | 643              | 651           | 666           | 660           | 640                                     | 646           |
| % change in rate*                       | 11.9             | 20.6             | 16.2             | 17.8             | 4.6              | 9.1              | 1.3           | 2.3           | -1.0          | -3.0                                    | 0.9           |
| Sexual assaults (levels 1, 2, 3)        |                  |                  |                  |                  |                  |                  |               |               |               |   |               |
| number                                  | 1,247            | 1,478            | 1,609            | 1,906            | 2,074            | 2,132            | 1,896         | 1,586         | 1,581         | 1,494                                   | 1,438         |
| rate                                    | 55               | 66               | 71               | 84               | 90               | 91               | 80            | 66            | 65            | 61                                      | 59            |
| % change in rate*                       | 2.7              | 18.7             | 8.3              | 17.5             | 7.3              | 1.7              | -12.1         | -17.3         | -1.6          | -6.4                                    | -4.2          |
| Robbery                                 |                  |                  |                  |                  |                  |                  |               |               |               |   |               |
| number                                  | 1,544            | 1,950            | 2,055            | 2,746            | 2,966            | 2,996            | 3,006         | 3,535         | 3,741         | 3,792                                   | 3,569         |
| rate % change in rate*                  | 69<br>28.8       | 87<br>26.5       | 91<br>4.8        | 121<br>32.6      | 129<br>6.5       | 129<br>-0.1      | 127<br>-0.9   | 148<br>16.3   | 155<br>4.5    | 155<br>0.4                              | 146<br>-6.3   |
|   | 20.0             | 20.0             | 7.0              | 02.0             | 0.0              | 0.1              | 0.5           | 10.0          | 7.0           | 0.4                                     | 0.5           |
| Violent Crime - Total<br>number         | 11,437           | 13,780           | 15,690           | 18,919           | 20,028           | 21,477           | 21,629        | 22,441        | 22,521        | 22,172                                  | 22,145        |
| rate                                    | 509              | 614              | 695              | 832              | 869              | 921              | 917           | 940           | 932           | 909                                     | 903           |
| % change in rate*                       | 13.0             | 20.7             | 13.3             | 19.6             | 4.4              | 6.1              | -0.5          | 2.6           | -0.9          | -2.4                                    | -0.6          |
| Break and enter                         |                  |                  |                  |                  |                  |                  |               |               |               |   |               |
| number                                  | 23,894           | 22,155           | 24,066           | 26,901           | 24,747           | 21,947           | 19,992        | 18,654        | 18,532        | 17,092                                  | 15,971        |
| rate                                    | 1,063            | 987              | 1,067            | 1,183            | 1,074            | 942              | 847           | 782           | 767           | 701                                     | 651           |
| % change in rate*                       | -5.2             | -7.1             | 8.0              | 10.9             | -9.3             | -12.3            | -10.0         | -7.8          | -1.9          | -8.6                                    | -7.0          |
| Viotor vehicle theft                    |                  |                  |                  |                  |                  |                  |               |               |               |   |               |
| number<br>rate                          | 6,436<br>286     | 7,330<br>327     | 7,945<br>352     | 8,768<br>386     | 8,122<br>352     | 8,211<br>352     | 7,476<br>317  | 6,875<br>288  | 7,011<br>290  | 6,468                                   | 6,172<br>252  |
| % change in rate*                       | 10.2             | 14.1             | 7.8              | 9.5              | -8.6             | 0.0              | -10.0         | -9.1          | 0.7           | 265<br>-8.6                             | -5.0          |
| Theft                                   |                  |                  |                  |                  |                  |                  |               |               |               |   |               |
| number                                  | 36,368           | 38,897           | 42,514           | 45,221           | 39,648           | 35,301           | 32,228        | 33,762        | 32,473        | 27,060                                  | 24,778        |
| rate                                    | 1,618            | 1,733            | 1,884            | 1,989            | 1,720            | 1,515            | 1,366         | 1,415         | 1,343         | 1,109                                   | 1,011         |
| % change in rate*                       | 0.4              | 7.1              | 8.7              | 5.5              | -13.5            | -11.9            | -9.8          | 3.6           | -5.1          | -17.4                                   | -8.9          |
| Property crime - Total                  |                  |                  |                  |                  |                  |                  |               |               |               |   |               |
| number                                  | 74,316           | 76,317           | 83,741           | 91,656           | 83,603           | 74,981           | 68,907        | 68,105        | 66,702        | 58,340                                  | 54,047        |
| rate<br>% change in rate*               | 3,306<br>-0.2    | 3,401<br>2.9     | 3,712            | 4,031            | 3,627            | 3,217            | 2,921         | 2,854         | 2,759         | 2,391                                   | 2,204         |
|   | -0.2             | 2.5              | 9.1              | 8.6              | -10.0            | -11.3            | -9.2          | -2.3          | -3.3          | -13.3                                   | -7.8          |
| Mischief                                | 0.040            | 0.404            | 0.047            | 0.705            |                  |                  |               |               | 7.005         | 7.00                                    |               |
| number<br>rate                          | 8,643<br>384     | 8,491<br>378     | 8,647<br>383     | 9,725<br>428     | 9,066<br>393     | 8,214<br>352     | 7,687<br>326  | 7,745<br>325  | 7,695<br>318  | 7,005<br>287                            | 6,868<br>280  |
| % change in rate*                       | 10.8             | -1.6             | 1.3              | 11.6             | -8.0             | -10.4            | -7.5          | -0.4          | -1.9          | -9.8                                    | -2.4          |
| Offensive weapons                       |                  |                  |                  |                  |                  |                  |               |               |               |   |               |
| number                                  | 1,514            | 1,702            | 1,809            | 2,020            | 1,906            | 1,932            | 1,963         | 1,693         | 1,551         | 1,478                                   | 1,459         |
| rate                                    | 67               | 76               | 80               | 89               | 83               | 83               | 83            | 71            | 64            | 61                                      | 60            |
| % change in rate*                       | 7.4              | 12.6             | 5.7              | 10.8             | -6.9             | 0.2              | 0.4           | -14.7         | -9.6          | -5.6                                    | -1.8          |
| Other Criminal Code - Total             |                  |                  |                  |                  |                  |                  |               |               |               |   |               |
| number                                  | 24,136           | 25,865           | 27,118           | 31,741           | 31,651           | 30,429           | 29,089        | 30,117        | 30,187        | 30,329                                  | 30,792        |
| rate                                    | 1,074            | 1,153            | 1,202            | 1,396            | 1,373            | 1,305            | 1,233         | 1,262         | 1,249         | 1,243                                   | 1,256         |
| % change in rate*                       | 6.5              | 7.3              | 4.3              | 16.1             | -1.6             | -4.9             | -5.5          | 2.4           | -1.1          | -0.4                                    | 1.0           |
| Criminal Code - Total excluding traffic | 400.000          | 445 000          | 400 = 15         | 445.045          | 400.000          | 100 00           | 446.555       | 100           | 446           |   | 400           |
| number<br>rate                          | 109,889<br>4,889 | 115,962<br>5,168 | 126,549<br>5,609 | 142,316<br>6,259 | 135,282<br>5,869 | 126,887<br>5,444 | 119,625       | 120,663       | 119,410       | 110,841                                 | 106,984       |
| % change in rate*                       | 2.5              | 5.7              | 8.5              | 11.6             | -6.2             | -7.2             | 5,071<br>-6.9 | 5,056<br>-0.3 | 4,939<br>-2.3 | 4,543<br>-8.0                           | 4,363<br>-4.0 |

Rates are calculated on the basis of 100,000 youths. The population estimates come from the Annual Demographic Statistics, 1998 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: revised intercensal estimates from 1988 to 1990, final intercensal estimates for 1991 to 1995, final postcensal estimates for 1996, updated postcensal estimates for 1997 and 1998.

<sup>\*</sup> Percent change based on unrounded rates.

Revised figures

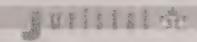


Table 9

### Selected Criminal Code Incidents Committed by Youth, Canada and the Provinces/Territories, 19981

|  | Nfld.        | P.E.I.       | N.S.           | N.B.         | Qc            | Ont.           | Man.           | Sask.          | Alta.          | B.C.           | Yukon           | N.W.T.        | Canada          |
|--|--------------|--------------|----------------|--------------|---------------|----------------|----------------|----------------|----------------|----------------|-----------------|---------------|-----------------|
| Population, 1998   | 49,576       | 12,105       | 75,401         | 61,812       | 562,937       | 906,498        | 97,334         | 96,609         | 261,015        | 318,687        | 3,009           | 6,963         | 2,451,946       |
| Homicide   |              |              |                |              |               |                |                |                |                |                |                 |               |                 |
| number   | 3            |              | 4              | 1            | 8             | 14             | 4              | 5              | 11             | 5              | ~               | 1             | 56              |
| rate % change in rate*   | 6.1          |              | 5.3            | 1.6          | 1.4<br>104.3  | 1.5<br>52.8    | 4.1<br>-66.9   | 5.2<br>66.7    | 4.2<br>33.6    | 1.6<br>-70.9   | -               | 14.4          | 2.3<br>3.2      |
|  |              |              | ***            | ***          | 104.5         | J2.0           | -00.5          | 00.7           | 33.0           | -70.9          | ***             | ***           | 3.2             |
| Sexual Assault (1,2,3)<br>number   | 23           | 8            | 45             | 37           | 152           | 580            | 85             | 93             | 171            | 213            | 7               | 24            | 1,438           |
| rate   | 46           | 66           | 60             | 60           | 27            | 64             | 87             | 96             | 66             | 67             | 233             | 345           | 1,430           |
| % change in rate*  | -38.5        | 59.8         | -34.6          | 1.5          | -1.1          | 0.0            | -1.8           | -11.4          | -13.0          | -3.5           |                 | 51.2          | -4.2            |
| Assault (1,2,3)  |              |              |                |              |               |                |                |                |                |                |                 |               |                 |
| number   | 271          | 44           | 424            | 387          | 1,977         | 7,039          | 965            | 891            | 1,665          | 2,049          | 29              | 89            | 15,830          |
| rate   | 547          | 363          | 562            | 626          | 351           | 777            | 991            | 922            | 638            | 643            | 964             | 1,278         | 646             |
| % change in rate*  | -4.8         | 33.2         | -18.7          | 16.9         | 13.1          | 1.3            | -4.0           | 6.2            | -9.5           | -2.1           | -39.6           | 28.2          | 0.9             |
| Robbery  |              |              |                |              |               |                |                |                |                |                |                 |               |                 |
| number   | 22           | 7            | 81             | 23           | 639           | 1,273          | 331            | 226            | 444            | 517            | 2               | 4             | 3,569           |
| rate   | 44<br>108.6  | 58<br>74.8   | 107<br>80.6    | 37<br>55.7   | 114<br>-10.8  | 140<br>-5.8    | 340<br>-18.6   | 234<br>17.1    | 170<br>6.3     | 162<br>-20.4   | 66<br>-33.3     | 57<br>-55.2   | 146<br>-6.3     |
| % change in rate*  | 100.0        | 14.0         | 00.0           | 55.7         | -10.0         | *0.0           | -10.0          | 17.1           | 0.3            | -20.4          | -33.3           | -55.2         | -0.3            |
| Violent crime - Total  | 339          | 60           | 602            | 495          | 3,013         | 9.350          | 1,485          | 1.298          | 2.436          | 2.891          | 43              | 133           | 22,145          |
| number<br>rate   | 684          | 496          | 798            | 801          | 535           | 1,031          | 1,465          | 1,290          | 933            | 2,091<br>907   | 1,429           | 1,910         | 903             |
| % change in rate*  | -1.2         | 30.3         | -12.0          | 19.4         | 6.0           | 0.7            | -8.6           | 4.0            | -6.9           | -6.9           | -27.1           | 27.7          | -0.6            |
| Breaking & Entering  |              |              |                |              |               |                |                |                |                |                |                 |               |                 |
| number   | 625          | 30           | 699            | 381          | 2,497         | 4,371          | 1,176          | 1,890          | 1,932          | 1.949          | 97              | 324           | 15,971          |
| rate   | 1,261        | 248          | 927            | 616          | 444           | 482            | 1,208          | 1,956          | 740            | 612            | 3,224           | 4,653         | 651             |
| % change in rate*  | 27.3         | -45.5        | 1.8            | -10.5        | -9.3          | -10.5          | -0.4           | -4.1           | -9.6           | -9.2           | 11.5            | -10.7         | -7.0            |
| Motor Vehicle Theft  |              |              |                |              |               |                |                |                |                |                |                 |               |                 |
| number   | 122          | 18           | 214            | 114          | 889           | 1,807          | 773            | 681            | 836            | 624            | 14              | 80            | 6,172           |
| rate   | 246          | 149          | 284            | 184          | 158           | 199            | 794            | 705            | 320            | 196            | 465             | 1,149         | 252             |
| % change in rate*  | 98.9         | -30.8        | 4.7            | -5.1         | -6.3          | -10.9          | 24.9           | 10.9           | -12.3          | -25.2          | -17.6           | -13.3         | -5.0            |
| Other Theft  |              |              | 4 004          | 070          | 0.400         | 0.044          | 4.004          | 4 448          | 0.040          | 0.700          |                 | 0.4           | 04.770          |
| number   | 524<br>1.057 | 90<br>743    | 1,004<br>1,332 | 678<br>1,097 | 3,190<br>567  | 9,241<br>1,019 | 1,651<br>1,696 | 1,417<br>1,467 | 3,043<br>1,166 | 3,788<br>1,189 | 61<br>2.027     | 91<br>1,307   | 24,778<br>1,011 |
| rate % change in rate*   | -4.8         | -10.1        | -27.8          | 2.9          | -6.5          | -9.9           | -6.5           | -5.8           | 2.5            | -16.4          | -6.1            | 27.4          | -8.9            |
| The state of the s | 7.0          | 10.1         | 27.0           | 2.0          | 0.0           | 0.0            | 0.0            | 0.0            | 2.0            | 10.1           | 0.1             |               | 0.0             |
| Property crime - Total<br>number   | 1,359        | 158          | 2,022          | 1,285        | 7,000         | 18,755         | 3.874          | 4,733          | 6.952          | 7,207          | 190             | 512           | 54,047          |
| rate   | 2,741        | 1,305        | 2,682          | 2,079        | 1,243         | 2,069          | 3,980          | 4,899          | 2,663          | 2,261          | 6,314           | 7,353         | 2,204           |
| % change in rate*  | 15.9         | -18.6        | -15.4          | -4.2         | -8.3          | -9.8           | -1.6           | -2.6           | -2.5           | -16.2          | 1.6             | -5.3          | -7.8            |
| Offensive weapons  |              |              |                |              |               |                |                |                |                |                |                 |               |                 |
| number   | 6            | 1            | 36             | 13           | 67            | 710            | 123            | 83             | 230            | 185            | -               | 5             | 1,459           |
| rate   | 12           | 8            | 48             | 21           | 12            | 78             | 126            | 86             | 88             | 58             | -               | 72            | 60              |
| % change in rate*  | -51.9        | ***          | 12.9           | -37.2        | 16.0          | 8.0            | -27.7          | 45.6           | -17.2          | -3.8           | -               | -54.2         | -1.8            |
| Mischief   |              |              |                |              |               |                |                |                |                |                |                 |               |                 |
| number   | 183          | 31           | 296            | 241          | 754           | 2,230          | 525            | 731            | 974            | 825            | 39              | 39            | 6,868           |
| rate % change in rate*   | 369<br>-2.6  | 256<br>-22.6 | 393<br>-22.1   | 390<br>9.2   | 134<br>-9.2   | 246<br>0.0     | 539<br>-23.6   | 757<br>23.5    | 373<br>4.5     | 259<br>-5.8    | 1,296<br>14.7   | 560<br>-12.6  | 280<br>-2.4     |
| •  | 2.0          | 22.0         | ££. I          | U.L.         | J.L.          | 0.0            | 20.0           | 20.0           | 7.0            | 0.0            | 17.1            | 12.0          | £.··            |
| Other Criminal Code - Total number   | 688          | 68           | 1,113          | 1,067        | 2,742         | 11,910         | 2,093          | 3,856          | 4,286          | 2.689          | 103             | 177           | 30.792          |
| rate   | 1,388        | 562          | 1,476          | 1,726        | 487           | 1,314          | 2,150          | 3,991          | 1,642          | 844            | 3,423           | 2,542         | 1,256           |
| % change in rate*  | 8.7          | -27.0        | -9.2           | 13.9         | -1.8          | -1.1           | -6.5           | 14.7           | 4.2            | -5.5           | -33.1           | 10.2          | 1.0             |
| CRIMINAL CODE - TOTAL -  |              |              |                |              |               |                |                |                |                |                |                 |               |                 |
| without traffic crime  |              |              |                |              |               |                |                |                |                |                |                 |               |                 |
| number   | 2,386        | 286          | 3,737          | 2,847        | 12,755        | 40,015         | 7,452          | 9,887          | 13,674         | 12,787         | 336             | 822           | 106,984         |
| rate   | 4,813        | 2,363        | 4,956          | 4,606        | 2,266<br>-3.9 | 4,414<br>-5.0  | 7,656          | 10,234         | 5,239          | 4,012<br>-12.1 | 11,167<br>-16.0 | 11,805<br>2.1 | 4,363<br>-4.0   |
| % change in rate*  | 11.1         | -14.2        | -13.1          | 5.7          | -5.9          | -5.0           | -4.5           | 4.4            | -1.4           | -12.1          | -10.0           | Z. l          | -4.0            |

Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics, 1998 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: updated postcensal estimates for 1997 and 1998.

<sup>\*</sup> Percent change based on unrounded rates.

<sup>...</sup> Figures not appropriate or applicable
- Nil or zero



Table 10

### Population Estimates of Canada and the Provinces/Territories, 1988 to 1998

|                              | Nfld.          | P.E.I.         | N.S.           | N.B.           | Qc                 | Ont.                | Man.             | Sask.            | Alta.              | B.C.               | Yukon        | N.W.T.       | Canada               |
|------------------------------|----------------|----------------|----------------|----------------|--------------------|---------------------|------------------|------------------|--------------------|--------------------|--------------|--------------|----------------------|
| Year                         |                |                |                |                |                    |                     | Thousands        |                  |                    |                    |              |              |                      |
| 1988                         |                |                |                |                |                    |                     |                  |                  |                    |                    |              |              |                      |
| Total                        | 575.0          | 129.3          | 897.4          | 730.4          | 6,839.6            | 9,843.8             | 1,102.1          | 1,028.1          | 2,454.7            | 3,115.7            | 26.6         | 55.7         | 26,798.3             |
| Adult (18+)                  | 401.5          | 93.6           | 668.4          | 535.9          | 5,200.5            | 7,440.6             | 811.2            | 734.4            | 1,772.2            | 2,364.7            | 18.9         | 34.9         | 20,076.9             |
| Youth (12-17)                | 67.4           | 12.2           | 81.8           | 71.4           | 546.0              | 814.1               | 98.0             | 93.2             | 210.2              | 245.4              | 2.3          | 6.0          | 2,247.9              |
| 1989                         |                |                |                |                |                    |                     |                  |                  |                    |                    |              |              |                      |
| Total                        | 576.4          | 130.1          | 903.9          | 735.2          | 6,929.5            | 10,109.8            | 1,103.5          | 1,019.3          | 2,495.8            | 3,198.5            | 27.1         | 57.0         | 27,286.2             |
| Adult (18+)                  | 407.3          | 94.4           | 676.7          | 542.8          | 5,282.9            | 7,666.8             | 813.4            | 729.0            | 1,804.0            | 2,433.0            | 19.4         | 35.9         | 20,505.3             |
| Youth (12-17)                | 65.8           | 12.2           | 79.9           | 70.6           | 551.7              | 810.6               | 96.5             | 92.4             | 210.4              | 245.8              | 2.2          | 6.0          | 2,244.0              |
| 1990                         |                |                |                |                |                    |                     |                  |                  |                    |                    |              |              |                      |
| Total                        | 578.1          | 130.5          | 909.7          | 740.1          | 7,004.4            | 10,299.6            | 1,105.6          | 1,007.1          | 2,547.6            | 3,291.4            | 27.8         | 58.9         | 27,700.9             |
| Adult (18+)                  | 412.9          | 94.9           | 683.1          | 549.2          | 5,341.3            | 7,814.7             | 814.8            | 720.4            | 1,840.8            | 2,504.3            | 19.8<br>2.2  | 37.2<br>5.9  | 20,833.4<br>2,256.1  |
| Youth (12-17)                | 63.7           | 12.0           | 78.2           | 69.1           | 561.2              | 810.7               | 95.8             | 91.8             | 214.4              | 251.0              | 2.2          | 5.9          | 2,256.1              |
| 1991                         |                |                |                |                |                    |                     |                  |                  |                    |                    |              |              |                      |
| Total                        | 579.5          | 130.3          | 915.1          | 745.5          | 7,064.7            | 10,427.6            | 1,109.6          | 1,002.7          | 2,592.6            | 3,373.4            | 28.9         | 60.9         | 28,030.9             |
| Adult (18+)                  | 418.7<br>61.5  | 95.0<br>12.0   | 689.3<br>77.0  | 556.3<br>67.7  | 5,385.3<br>571.9   | 7,913.1<br>811.5    | 818.1<br>95.4    | 717.9<br>92.0    | 1,873.1<br>219.2   | 2,567.8<br>257.4   | 20.7<br>2.3  | 38.4<br>6.1  | 21,093.5<br>2,273.9  |
| Youth (12-17)                | 01.0           | 12.0           | 77.0           | 07.7           | 3/1.5              | 011.3               | 30.4             | 32.0             | 213.2              | 237.4              | 2.0          | 0.1          | 2,213.3              |
| 1992                         |                |                |                |                |                    |                     |                  |                  |                    |                    |              |              |                      |
| Total                        | 580.2          | 130.9          | 919.4          | 748.5          | 7,112.8            | 10,570.5            | 1,113.1          | 1,004.0          | 2,634.4            | 3,470.3            | 30.2         | 62.4         | 28,376.6             |
| Adult (18+)                  | 423.2          | 95.7           | 694.4<br>76.4  | 561.3<br>66.7  | 5,419.0<br>583.9   | 8,010.2<br>820.0    | 821.2<br>94.7    | 720.0<br>92.7    | 1,903.4<br>224.6   | 2,641.5<br>265.6   | 21.6<br>2.5  | 39.1<br>6.3  | 21,350.7<br>2,305.1  |
| Youth (12-17)                | 59.8           | 11.9           | 70.4           | 00.7           | 505.5              | 020.0               | 34.7             | 32.7             | 224.0              | 203.0              | 2.0          | 0.5          | 2,303.1              |
| 1993                         |                |                |                |                |                    |                     |                  |                  |                    |                    |              |              |                      |
| Total                        | 580.2          | 132.3          | 923.7          | 749.5          | 7,165.2            | 10,690.4            | 1,118.4          | 1,006.9          | 2,670.7            | 3,571.5            | 30.6         | 63.5         | 28,703.1             |
| Adult (18+)<br>Youth (12-17) | 427.2<br>58.4  | 97.1<br>11.9   | 699.9<br>75.7  | 565.0<br>65.4  | 5,465.8<br>590.1   | 8,099.7<br>827.5    | 826.2<br>94.3    | 723.5<br>93.9    | 1,933.4<br>229.9   | 2,721.4<br>274.8   | 22.0<br>2.5  | 39.9<br>6.5  | 21,621.0<br>2,330.9  |
| 10001 (12-17)                | 30.4           | 11.3           | 10.1           | 05.7           | 330.1              | 027.5               | 37.0             | 35.5             | 223.3              | 214.0              | 2.0          | 0.5          | 2,000.0              |
| 1994                         |                |                |                |                |                    |                     |                  |                  |                    |                    |              |              |                      |
| Total                        | 574.8          | 133.7          | 926.3          | 750.9          | 7,207.3            | 10,827.5            | 1,123.9          | 1,009.7          | 2,704.9            | 3,681.8            | 30.0         | 65.2         | 29,036.0             |
| Adult (18+)<br>Youth (12-17) | 427.0<br>56.6  | 98.3<br>12.0   | 704.1<br>75.0  | 568.8<br>64.4  | 5,508.3<br>592.3   | 8,204.2<br>839.3    | 831.0<br>94.4    | 726.9<br>95.1    | 1,964.8<br>234.7   | 2,810.1<br>286.3   | 21.6<br>2.5  | 41.0<br>6.7  | 21,906.2<br>2,359.1  |
| 10001 (12 17)                | 50.0           | 12.0           | 70.0           | 04.4           | 002.0              | 000.0               | <b>О</b> Т.Т     | 55.1             | 204.7              | 200.0              | 2.0          | 0.7          | 2,000.1              |
| 1995                         |                | 4040           |                | 201.0          | 70444              | 10.001.0            | 4 400 0          | 4.044.0          | 0.700.0            | 0.704.0            |              |              | 80.050.0             |
| Total<br>Adult (18+)         | 568.0<br>425.3 | 134.8<br>99.5  | 927.7<br>706.8 | 751.8<br>572.1 | 7,241.4<br>5,549.8 | 10,964.9<br>8,310.4 | 1,129.8<br>835.7 | 1,014.2<br>732.6 | 2,739.9<br>1,997.1 | 3,784.0<br>2.894.8 | 30.9<br>22.2 | 66.6<br>42.0 | 29,353.9<br>22,188.2 |
| Youth (12-17)                | 55.0           | 12.0           | 75.1           | 63.6           | 588.2              | 854.8               | 95.1             | 95.9             | 240.4              | 2,094.0            | 2.7          | 6.8          | 2,386.3              |
|                              |                |                |                |                |                    |                     |                  |                  |                    |                    |              |              | -,                   |
| 1996                         | 560.6          | 126.0          | 021.2          | 752.0          | 7 274 0            | 11 100 0            | 1 12/2           | 1.010.5          | 2 700 6            | 2 002 0            | 21.0         | 67.6         | 20 671 0             |
| Total<br>Adult (18+)         | 560.6<br>423.3 | 136.2<br>100.8 | 931.2<br>711.1 | 753.0<br>575.6 | 7,274.0<br>5,588.7 | 11,100.9<br>8,410.7 | 1,134.3<br>840.0 | 1,019.5<br>738.7 | 2,780.6<br>2,034.4 | 3,882.0<br>2,977.2 | 31.9<br>23.1 | 42.7         | 29,671.9<br>22,466.3 |
| Youth (12-17)                | 53.4           | 12.1           | 75.5           | 63.3           | 583.5              | 872.4               | 96.0             | 96.7             | 246.8              | 308.0              | 2.9          | 7.0          | 2,417.6              |
| 1007                         |                |                |                |                |                    |                     |                  |                  |                    |                    |              |              |                      |
| <b>1997</b><br>Total         | 554.4          | 136.8          | 934.8          | 754.0          | 7,307.6            | 11,260.4            | 1,136.8          | 1.022.2          | 2.837.8            | 3.959.3            | 32.2         | 67.8         | 30.004.0             |
| Adult (18+)                  | 422.4          | 101.8          | 716.5          | 579.1          | 5,636.3            | 8,543.0             | 843.1            | 743.9            | 2,084.5            | 3,044.2            | 23.4         | 42.9         | 22,781.1             |
| Youth (12-17)                | 51.7           | 12.1           | 75.6           | 62.8           | 575.1              | 890.7               | 96.7             | 96.6             | 253.6              | 314.9              | 3.0          | 7.0          | 2,439.8              |
| 1998                         |                |                |                |                |                    |                     |                  |                  |                    |                    |              |              |                      |
| Total                        | 544.4          | 136.4          | 934.6          | 753.0          | 7,333.3            | 11,411.5            | 1,138.9          | 1,024.4          | 2,914.9            | 4,009.9            | 31.7         | 67.5         | 30,300.4             |
| Adult (18+)                  | 418.5          | 101.9          | 719.2          | 581.6          | 5,685.4            | 8,675.2             | 846.1            | 748.9            | 2,151.2            | 3,092.5            | 23.1         | 42.7         | 23,086.4             |
| Youth (12-17)                | 49.6           | 12.1           | 75.4           | 61.8           | 562.9              | 906.5               | 97.3             | 96.6             | 261.0              | 318.7              | 3.0          | 7.0          | 2,451.9              |

Source: Report entitled Annual Demographic Statistics, 1998, Statistics Canada, Demography Division. Populations as of July 1st revised intercensal estimates from 1988 to 1990, final intercensal estimates for 1991 to 1995, final postcensal estimate for 1996, updated postcensal estimates for 1997 and 1998.

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## **HOMICIDE IN CANADA - 1998**

Orest Fedorowycz

## HIGHLIGHTS

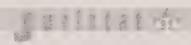
- The national homicide rate decreased by 6% in 1998, to its lowest rate in 30 years. The rate has generally been decreasing since the mid-1970s. The 555 homicides in 1998 were 31 fewer than in 1997 and 13% lower than the average for the previous ten years.
- In general, homicide rates were higher in the west than in the east. Saskatchewan had the highest provincial rate in 1998, followed by Manitoba. The lowest rates were in Prince Edward Island, New Brunswick and Newfoundland. Most provinces reported a decrease or no change in the number of homicides in 1998, with the largest decreases in British Columbia and Ontario.
- Among the nine largest metropolitan areas, Winnipeg reported the highest rate, followed by Edmonton and Vancouver. Both Ottawa-Hull and Hamilton had their lowest rates since 1981, when data were first tabulated by metropolitan area.
- Since 1979, firearms have been used in about one-third of all homicides each year. In 1998, however, this proportion fell to 27%, the lowest since 1961 when national homicide data were first collected. The 151 shootings in 1998 represented a 22% decrease over the total in 1997, and were 27% fewer than the average (207) for the previous ten years. Handguns were used in less than half (46%) of all firearm homicides.
- Homicides continue to be committed primarily by someone known to the victim. In 1998, 40% of victims were killed by family members, and 45% by acquaintances. The proportion of homicides committed by strangers represented 15% of all homicides and has remained relatively stable over the past ten years.
- Spousal homicides continued to decline in 1998. The 70 victims killed by a spouse were 6 fewer than in 1997 and 23 fewer than the average number killed by a spouse since 1991. Over half (55%) of all female victims and 6% of male victims 18 years of age and older in 1998 were killed by a person with whom they had an intimate relationship at one point in time, either through marriage or dating.
- Over the last ten years, the rate per 100,000 youths accused of homicide has remained relatively stable while the rate for adults has generally been decreasing. From 1988 to 1997, 52 youths, on average, were accused of homicide each year, representing 9% of all persons accused of homicide. In 1998, 57 youths were accused, accounting for 11% of all persons accused of homicide.
- The age of greatest risk of being a homicide victim was during the first year of life. Of the 23 infant victims, 18 were killed by parents, one by a caregiver, and one by a stranger (the accused were not known in 3 cases).



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October 1999 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

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## INTRODUCTION

The most recent police-reported statistics indicate that the crime rate in Canada has decreased for the seventh consecutive year and is the lowest since 1979.¹ Statistics from the United States and from many European countries show similar trends.² However, data from studies such as the 1993 General Social Survey (GSS),³ the 1996 International Criminal Victimization Survey (ICVS),⁴ and national polls suggest that Canadians perceive crime as increasing and fear being a victim of crime in their neighbourhoods. The most feared crimes are those of a violent nature especially homicide – the killing of one human being by another - which tends to receive more media attention than any other criminal act. Despite this growing concern among Canadians about violence, the homicide rate has gradually been declining since the mid-1970s.

This *Juristat* examines long-term and short-term trends and the circumstances surrounding homicide incidents. In addition, this report compares rates among major metropolitan areas, provinces and territories, and selected countries.

In Canada, criminal homicide is classified as first degree murder, second degree murder, manslaughter or infanticide. Deaths caused by criminal negligence, suicide, accidental or justifiable homicides are not included in this classification.

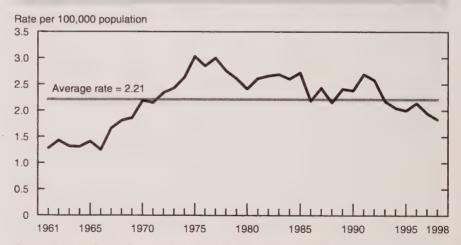
## **GENERAL TRENDS**

#### Homicide rate lowest in 30 years

Homicide is a relatively rare occurrence in Canada, accounting for 0.02% of the almost three million *Criminal Code* incidents reported to police in 1998. By comparison, there were nearly one and one-half times more attempted murders, almost seven times more

Figure 1

## Homicide Rate, 1961-1998



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1999.

<sup>&</sup>lt;sup>1</sup> Tremblay, S. 1999. Canadian Crime Statistics - 1998, Juristat, Catalogue 85-002-XPE, Vol. 19 No.9. Ottawa: Statistics Canada.

Information provided by the National Central Bureau, Interpol Ottawa.

<sup>&</sup>lt;sup>3</sup> The General Social Survey is conducted by Statistics Canada. For more information, see – Gartner, R. and A. Doob 1994. Trends in Criminal Victimization, 1988-1993, Juristat, Catalogue 85-002, Vol. 14, No. 13. Ottawa: Statistics Canada.

For more information, see – Besserer, S. 1997. Criminal Victimization: An International Perspective, Juristat, Catalogue 85-002XPE/F, Vol. 18, No. 6. Ottawa: Statistics Canada.

#### Homicide Rates for Selected Countries, 1998

| Country         | Homicide rate per 100,000 | % Change<br>1997-1998 | Country       | Homicide rate<br>per 100,000 | % Change<br>1997-1998 |
|-----------------|---------------------------|-----------------------|---------------|------------------------------|-----------------------|
| Switzerland     | 1.06                      | -14 %                 | France        | 1.64                         | -1 %                  |
| Germany         | 1.18                      | -18 %                 | Canada        | 1.83                         | - 6 %                 |
| England & Wales | 1.30                      | -7 %                  | Hungary       | 2.82                         | +1 %                  |
| Italy           | 1.54                      | +1 %                  | United States | 6.30                         | -7 %                  |

suicides<sup>5</sup>, and 400 times as many assaults as homicides. The general decline in homicides, evident since the mid-1970s, continued in 1998. There were 555 homicide offences reported, 31 fewer than the previous year, and well below the average of 641 for the previous decade. The 1998 homicide rate of 1.83 per 100,000 population represented a decrease of 6% from 1997, and was the lowest recorded since 1968.

Since 1961, when national homicide statistics were first collected, there have been two distinct trends. After several years of stability, the homicide rate increased steadily from 1.25 per 100,000 population in 1966 to a peak of 3.03 in 1975, an increase of 142%. From 1975 to 1998, despite yearly fluctuations, the homicide rate has gradually declined, reaching a rate of 1.83 in 1998, a decrease of 40% compared to 1975 (Figure 1).

# Homicide rate also decreasing in United States and many other countries

According to preliminary figures, the Federal Bureau of Investigation reported an 8% decrease in the number of homicides in the United States in 1998.<sup>6</sup> There were just under 17,000 homicides reported for that year, representing a rate of about 6.3 per 100,000 population. Although Canada's rate is generally three to four times lower than the USA rate, it is still higher than many European countries. For example, England and Wales reported a homicide rate of 1.30 per 100,000 population in 1998, almost 29% lower than Canada's rate (Table 1).<sup>7</sup> Large declines were seen in homicide rates in Germany and Switzerland, while remaining relatively stable in Italy, France and Hungary.

The rate of attempted murders has been declining since 1991, almost parallel to the trend in the homicide rate. In 1998, the rate of attempted murders (2.4 per 100,000 population) fell by 16% from the previous year, two-and-a-half times more than the change in the homicide rate. Although advanced medical procedures may prevent some assaults from becoming homicides, it appears that the decline in the homicide rate must be a result of other factors.

## **GEOGRAPHICAL PATTERNS IN HOMICIDE**

# Homicide rate remained the same or increased in five provinces

The decline in the national homicide rate since the mid-1970s is also reflected in the rates for most provinces. The exception has been in the Atlantic Provinces where homicide rates, while low to begin with, have remained relatively constant over the last 20 years.

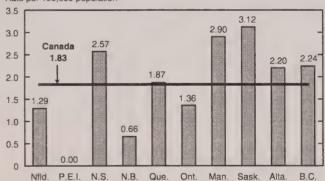
Historically, rates in the Western provinces and the Territories have generally been higher than the national rate. This was still the case in 1998, although Nova Scotia's rate has been relatively high in the past two years. Among the provinces, Saskatchewan recorded the highest rate (3.12 per 100,000), followed by Manitoba (2.90) and Nova Scotia (2.57). The latest crime data indicate that Saskatchewan also recorded the highest provincial crime rate for 1998. The lowest rates were in Prince Edward Island (no homicides), New Brunswick (0.66), its lowest since 1969, and Newfoundland (1.29). British Columbia recorded its lowest rate (2.24 per 100,000) in 34 years, and Ontario (1.36), its lowest in 32 years (Figure 2).

Three provinces reported decreases in the number of homicides in 1998 (Table 2): British Columbia (-26), Ontario (-23), and New Brunswick (-3), while Newfoundland, Nova Scotia and Prince Edward Island reported no change in their numbers from 1997. Total homicides increased in the other provinces/territories, most notably in Saskatchewan (+7), and Quebec (+5).

Figure 2

#### Homicide Rate by Province, 1998

Rate per 100,000 population



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1999.

<sup>5</sup> Statistics Canada. Causes of Death, Catalogue 84-208, Health Statistics Division, 1999.

<sup>&</sup>lt;sup>6</sup> United States Bureau of Justice Statistics.

<sup>&</sup>lt;sup>7</sup> Information provided by the National Central Bureau - Interpol Ottawa.

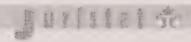


Table 2

## Homicides by Province/Territory, 1997 and 1998

| Province/Territory                 | 1998   | 3 1               | 199    | 7 <sup>2r</sup>   | Average 1988-1997 |                   |
|------------------------------------|--------|-------------------|--------|-------------------|-------------------|-------------------|
| Province/ lerritory                | Number | Rate <sup>3</sup> | Number | Rate <sup>3</sup> | Number            | Rate <sup>3</sup> |
| Newfoundland                       | 7      | 1.29              | 7      | 1.26              | 5                 | 0.94              |
| Prince Edward Island               | _      | 0.00              | -      | 0.00              | 1                 | 0.75              |
| Nova Scotia                        | 24     | 2.57              | 24     | 2.57              | 18                | 1.90              |
| New Brunswick                      | 5      | 0.66              | 8      | 1.06              | 12                | 1.65              |
| Québec                             | 137    | 1.87              | 132    | 1.81              | 161               | 2.26              |
| Ontario                            | 155    | 1.36              | 178    | 1.58              | 196               | 1.85              |
| Manitoba                           | 33     | 2.90              | 31     | 2.73              | 35                | 3.10              |
| Saskatchewan                       | 32     | 3.12              | 25     | 2.45              | 27                | 2.62              |
| Alberta                            | 64     | 2.20              | 61     | 2.15              | 67                | 2.54              |
| British Columbia                   | 90     | 2.24              | 116    | 2.93              | 112               | 3.17              |
| Yukon                              | 3      | 9.48              | 1      | 3.10              | 1                 | 4.72              |
| Northwest Territories <sup>4</sup> | 5      | 7.41              | 3      | 4.42              | 6                 | 10.23             |
| CANADA                             | 555    | 1.83              | 586    | 1.95              | 641               | 2.25              |

The following number of homicides were reported and included in 1998 but occurred in previous years: Nfld. - 1; Oc. - 2; Ont. - 6; Man. - 2; B.C. - 3; TOTAL - 14.

The following number of homicides were reported and included in 1997 but occurred in previous years: N.S. - 6; N.B. - 2; Qc. - 5; Ont. - 8; Man. - 1; B.C. - 1; Yukon - 1; TOTAL - 24.

Rates are calculated per 100,000 population using revised postcensal estimates.

4 Includes Nunavut.

- Nil or zero.

r Revised.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1999.

#### Nunavut : a homicide profile

Homicide rates in the Northwest Territories and the Yukon are usually higher than those in the provinces (Table 9). On April 1st, 1999, Nunavut, which comprises the eastern part of the old Northwest Territories, officially became a Canadian territory. The table below shows homicide statistics for the period 1991 to 1998 according to the 1999 boundaries for Yukon and the new territories. Although populations in the three territories are lower than 100,000, rates are based on this number for comparability purposes with the provinces.

#### Homicide Numbers and Rates¹ in Territories, 1991-1998

| Territory                                  | 1991                 | 1992                  | 1993                   | 1994                  | 1995                  | 1996                 | 1997                 | 1998                  |
|--|----------------------|-----------------------|------------------------|-----------------------|-----------------------|----------------------|----------------------|-----------------------|
|  |                      |                       |                        | nı                    | umber                 |                      |                      |                       |
| Nunavut<br>NWT (excludes Nunavut)<br>Yukon | 1<br>2<br>-          | 2<br>11<br>2          | 3 4                    | 3<br>1<br>3           | 1<br>2<br>4           | 2<br>2<br>-          | 1<br>2<br>1          | 4 1 3                 |
|  |                      |                       |                        |                       | rate                  |                      |                      |                       |
| Nunavut<br>NWT (excludes Nunavut)<br>Yukon | 4.50<br>5.17<br>0.00 | 8.71<br>27.89<br>6.61 | 12.68<br>10.03<br>0.00 | 12.25<br>2.46<br>9.98 | 3.99<br>4.82<br>12.95 | 7.77<br>4.78<br>0.00 | 3.85<br>4.78<br>3.10 | 15.12<br>2.44<br>9.48 |

## Homicide rate in metropolitan areas same as national rate

Crime, particularly homicide, is often considered to be an urban phenomenon. However, the data show that in 1998, the homicide rate for all the 25 census metropolitan areas (CMAs) was 1.83, the same as the national rate. The average CMA rate for the previous ten years was 2.45, slightly above the national average of 2.25.

Table 3 divides the CMAs into three population categories: nine CMAs with populations of 500,000 and over, seven CMAs with populations of 250,000 – 499,999, and nine CMAs with populations of 100,000 – 249,999. Historically, the largest CMAs

Census Metropolitan Area (CMA) - a large urban core (population of 100,000 and over) together with adjacent urban and rural areas which have a high degree of economic and social integration. The areas that police forces serve may differ in their mix of urban/suburban populations, making the comparability of crime rates among these forces difficult. This lack of comparability is addressed by analyzing crime rates by CMA. Usually, more than one police force is responsible for enforcing the law within the boundaries of a CMA. It is important to note that, due to the relatively small number of homicides within some of the smaller CMAs, homicide rates for these areas can change dramatically from year to year.

have shown the highest rates. In 1998, however, there was very little difference among the groups.

## Homicides by Census Metropolitan Area, 1997 and 1998

| Census Metropolitan Area          |            | 1998 <sup>1</sup> |                   |            | 1997 <sup>2r</sup> |                   | Average 1988-1997 |        |                   |  |
|-----------------------------------|------------|-------------------|-------------------|------------|--------------------|-------------------|-------------------|--------|-------------------|--|
| Census Metropolitan Area          | Population | Number            | Rate <sup>3</sup> | Population | Number             | Rate <sup>3</sup> | Population        | Number | Rate <sup>3</sup> |  |
| 500,000+ population               |            |                   |                   |            |                    |                   |                   |        |                   |  |
| Toronto                           | 4,594,880  | 76                | 1.65              | 4,503,082  | 83                 | 1.84              | 4,161,127         | 80     | 1.92              |  |
| Montréal                          | 3,428,304  | 65                | 1.90              | 3,411,970  | 74                 | 2.17              | 3,267,761         | 92     | 2.81              |  |
| Vancouver                         | 1,995,927  | 45                | 2.25              | 1.966.881  | 52                 | 2.64              | 1,727,753         | 54     | 3.13              |  |
| Ottawa-Hull                       | 1.056.748  | 7                 | 0.66              | 1,047,254  | 12                 | 1.15              | 976.692           | 17     | 1.69              |  |
| Ontario part                      | 801,555    | 4                 | 0.50              | 794,068    | 9                  | 1.13              | 738,956           | 13     | 1.71              |  |
| Quebec part                       | 255,193    | 3                 | 1.18              | 253,186    | 3                  | 1.18              | 237,737           | 4      | 1.64              |  |
| Edmonton                          | 917.536    | 22                | 2.40              | 897,605    | 28                 | 3.12              | 863,027           | 27     | 3.11              |  |
| Calgary                           | 907,112    | 19                | 2.09              | 873,352    | 9                  | 1.03              | 790.921           | 16     | 2.01              |  |
| Québec                            | 687,155    | 15                | 2.18              | 685,786    | 9                  | 1.31              | 670.016           | 11     | 1.63              |  |
| Winnipeg                          | 676.432    | 18                | 2.66              | 677,743    | 21                 | 3.10              | 667,759           | 18     | 2.74              |  |
| Hamilton                          | 658.618    | 6                 | 0.91              | 650.865    | 11                 | 1.69              | 627,746           | 12     | 1.90              |  |
| Total                             | 14,922,712 | 273               | 1.83              | 14,714,538 | 299                | 2.03              | 13,752,802        | 326    | 2.37              |  |
|                                   | 14,322,712 | 210               | 1.00              | 14,714,000 | 233                | 2.03              | 13,732,002        | 320    | 2.01              |  |
| 250,000 - 499,999 population      |            |                   |                   |            |                    |                   |                   |        |                   |  |
| Kitchener <sup>4</sup>            | 433,354    | 7                 | 1.62              | 425,983    | 3                  | 0.70              | 398,342           | 5      | 1.33              |  |
| St. Catharines-Niagara4           | 422,036    | 2                 | 0.47              | 418,535    | 8                  | 1.91              | 409,357           | 8      | 1.88              |  |
| London                            | 418,180    | 6                 | 1.43              | 413,582    | 4                  | 0.97              | 398,693           | 5      | 1.20              |  |
| Halifax                           | 347,984    | 12                | 3.45              | 345,346    | 11                 | 3.19              | 331,404           | 7      | 2.23              |  |
| Victoria                          | 318,124    | 10                | 3.14              | 317,547    | 6                  | 1.89              | 300,903           | 6      | 1.89              |  |
| Windsor                           | 296,726    | 8                 | 2.70              | 291,918    | 8                  | 2.74              | 277,571           | 7      | 2.38              |  |
| Oshawa                            | 289,192    | 3                 | 1.04              | 282,276    | 6                  | 2.13              | 258,632           | 4      | 1.55              |  |
| Total                             | 2,525,596  | 48                | 1.90              | 2,495,186  | 46                 | 1.84              | 2,374,902         | 42     | 1.75              |  |
| 100,000 - 249,999 population      |            |                   |                   |            |                    |                   |                   |        |                   |  |
| Saskatoon                         | 229.302    | 7                 | 3.05              | 227,708    | 8                  | 3.51              | 217.552           | 6      | 2.62              |  |
| Regina                            | 199,539    | 9                 | 4.51              | 199,082    | 3                  | 1.51              | 196,789           | 5      | 2.44              |  |
| St. John's                        | 173,586    | 2                 | 1.15              | 176,542    | 3                  | 1.70              | 175,335           | 2      | 1.25              |  |
| Sudbury                           | 163.313    | 3                 | 1.84              | 163,997    | 2                  | 1.22              | 163,028           | 4      | 2.39              |  |
| Sherbrooke                        | 152.655    | 1                 | 0.66              | 151,449    | 4                  | 2.64              | 144,753           | 2      | 1.38              |  |
| Chicoutimi-Jonquière <sup>5</sup> | 146,691    | i                 | 0.68              | 162,763    | _                  | 0.00              | 164,546           | 2      | 0.91              |  |
| Trois-Rivières                    | 142,448    |                   | 0.00              | 142,286    | 2                  | 1.41              | 140,259           | 2      | 1.50              |  |
| Thunder Bay                       | 128.607    | 3                 | 2.33              | 128.571    | 3                  | 2.33              | 129.201           | 3      | 2.63              |  |
| Saint John                        | 127,280    | 5                 | 0.00              | 127,810    | 3                  | 2.35              | 128.333           | 3      | 2.42              |  |
| Total                             | 1,463,421  | 26                | 1.78              | 1,480,208  | 28                 | 1.89              | 1,459,795         | 29     | 1.97              |  |
| CMA TOTALS                        | 18,911,729 | 347               | 1.83              | 18,689,932 | 373                | 2.00              | 17,587,498        | 396    | 2.25              |  |
| < 100,000 population              | 11,388,693 | 208               | 1.83              | 11,314,023 | 213                | 1.88              | 10,908,665        | 245    | 2.25              |  |
| CANADA                            | 30,300,422 | 555               | 1.83              | 30,003,955 | 586                | 1.95              | 28,496,164        | 641    | 2.25              |  |

The following number of homicides were reported and included in 1998 but occurred in previous years: Toronto - 1; Ottawa-Hull - 1; Winnipeg - 2; Kitchener - 1; Victoria - 1; Areas < 100,000 population - 8; TOTAL - 14.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1999.

Among the nine largest CMAs, Winnipeg, despite a rate lower than its previous ten-year average, reported the highest rate (2.66), followed by Edmonton (2.40), and Vancouver (2.25). Compared to the average rates for the previous ten years, Edmonton's and Vancouver's rates were 23% and 28% lower, respectively. The lowest rates were reported for Ottawa-Hull (0.66) and Hamilton (0.91), their lowest rates since CMA data were first tabulated in 1981. Canada's largest metropolitan area, Toronto, which has 15% of the total Canadian population, continued to report a homicide rate (1.65) below the national average.

Among the CMAs with populations of 250,000 - 499,999, Halifax reported the highest homicide rate (3.45), followed closely by

Victoria (3.14), while St. Catharines-Niagara (0.47) and Oshawa (1.04) reported the lowest. Compared to their average rates for the previous ten years, Halifax's rate (their highest since 1981 when data were first tabulated by CMA) and Victoria's rate (their highest since 1984) were 55% and 66% higher, respectively. This was the only CMA group to experience an increase in homicide rates compared to its average rate for the previous ten years.

For the CMAs with populations less than 250,000, Regina (4.51) reported the highest rate, 85% higher than its previous ten year rate, while Trois Rivières and Saint John recorded no homicides.

The following number of homicides were reported and included in 1997 but occurred in previous years: Toronto - 3; Montreal - 2; Hamilton - 1; Halifax - 1; Sudbury - 1; Saint John - 1; Areas < 100,000 population - 15; TOTAL - 24.

<sup>3</sup> Rates are calculated per 100,000 population. Population estimates at July 1st, provided by Statistics Canada, Census and Demographic Statistics, Demography Division.

<sup>&</sup>lt;sup>4</sup> Beginning in 1991, the populations were adjusted to follow policing boundaries.

<sup>5</sup> In 1998, the population was adjusted to follow policing boundaries.

<sup>-</sup> Nil or zero.

r Revised.

# CHARACTERISTICS OF HOMICIDE INCIDENTS

## Half of homicides were classified as first degree murder

With the abolition of capital punishment in 1976 (Bill C-105), murder was categorized into first and second-degree (see Glossary of Terms for definitions of homicide). First degree murder, as a proportion of all homicides, has generally been increasing since 1976, although it has declined from 58% in 1996 to 51% in 1998. Conversely, homicides classified by police as second degree murder have generally been decreasing, and in 1998, represented a proportion of 39%. Despite annual fluctuations, around 9% of all homicides are classified as manslaughter each year, and the remaining 1% are infanticides.

The classification of homicide offences in this report is based upon initial police investigation. In the transition period from initial police charging of the accused to final court disposition, the legal classification of an incident may change.

# Five percent of homicide incidents involved multiple victims, most were family-related

In 1998, 527 separate homicide incidents involving 555 victims were reported by the police. The majority of these incidents (95%) involved a single victim, while 5% were multiple-victim incidents. Overall, these multiple victim incidents represented 9% of all victims, less than the average of 16% for the previous ten years. The 24 multiple-victim incidents (down from 36 in 1997) were distributed as follows: 20 incidents involved two victims, and four incidents had three victims. Over two-thirds (68%) of the victims in multiple victim incidents were family members of the accused (i.e., immediate or extended family members related through blood, marriage or adoption), up from 51% in 1997.

### Eight in ten homicide incidents solved by police

During 1998, the police, through the identification of at least one accused, solved 78% of all reported homicide incidents. Over the past ten years, this proportion has fluctuated between 77% and 85%. Since the process of solving a homicide can be time-consuming, an incident may not be solved until after the year in which it was initially recorded. These data, therefore, underestimate final police clearance rates

Of those incidents cleared by police in 1998, 90% were cleared by a charge being laid and 9% by the accused having committed suicide immediately following the offence. Of the 38 incidents cleared by suicide, 30 were family-related. The remaining 1% were cleared for other reasons: Crown chose not to proceed (1), and the death of the accused (other than suicide) (1).

#### Over half of victims killed in residences

The term "location" refers to where the homicide took place. If this location is unknown, then the place where the body is found is entered as the location. Of the 523 homicide incidents with a known location (4 were unknown) in 1998, three-fifths occurred

in a private residence: 40% occurred in a residence occupied by the victim (either solely or jointly with the accused); 13% occurred in the residence of the accused; and the remaining 8% in other residences. The majority of spousal homicides (89%) and other homicides within the family (88%) occurred in private residences.

The remaining two-fifths of locations were distributed as follows: 26% in an open area (e.g., a parking lot, street or field), 7% in a commercial area (e.g., bar, bank, restaurant), 4% in a private vehicle and the remaining 2% in a public institution (correctional facility (4), hospital (4), group home (2), and school/college (1)).

In 1998, females were more likely to be killed in a private residence than were males (80% versus 61%). This is not surprising, given that females are killed in greater proportion by spouses and family members (65% for females compared to 25% for males), and spousal homicides usually occur in a private residence.

## **FIREARMS**

## Lowest proportion of firearm homicides since data first available

Since 1988, there have been approximately 200 homicides each year using firearms. Homicides, however, account for a relatively small portion of all firearm-related deaths. Of the 1,037 deaths in Canada involving firearms in 1997 (the latest year that figures were available), the largest proportion of these deaths were due to suicide (79%), followed by homicide (15%), accidents (4%), and other types of incidents (2%).8

Since 1979, firearms have been used in about one-third of all homicides each year, but in 1998 this proportion fell to 27% (Figure 3), the lowest since 1961 when data first collected. The 151 shootings in 1998 represented a 22% decrease over the total in 1997, and were 27% fewer than the average (207) for the previous ten years. These shootings were distributed as follows: 70 (46%) with a handgun, 51 (34%) with a rifle/shotgun, 14 (9%) with a sawed-off rifle/shotgun, 12 (8%) with a fully-automatic firearm, and 4 (3%) with other types of firearms. Except for the increase in the percentage of firearm homicides with fully-automatic firearms and sawed-off rifles/shotguns, the other three categories of firearm homicides decreased in 1998. The use of handguns and rifle/shotguns (includes sawed-off firearms) as proportions of all firearm homicides decreased by 10% and 5%, respectively, from the 1997 figures.

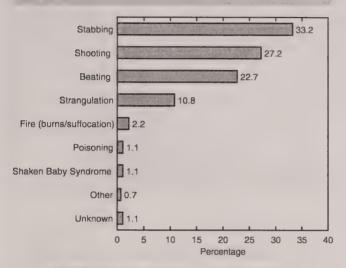
Between 1974 and 1990, one in ten homicides were committed each year with handguns. Since 1991, handguns have accounted for about one in every six homicides. The use of rifles/shotguns (including sawed-off firearms) in homicides has generally been decreasing, from a rate of 0.5 per 100,000 population in 1989 to the present rate of 0.2 in 1998 (Figure 4). Fully-automatic weapons were used in 2% of all homicides in 1998 (Table 4).

Shooting has been the most common method used in homicides since 1961, except in 1990, 1995 and in 1998, when stabbing was the most common method. In 1998, stabbing accounted for

<sup>8</sup> Statistics Canada. Causes of Death, Catalogue 84-208, Health Statistics Division, 1999.

Figure 3

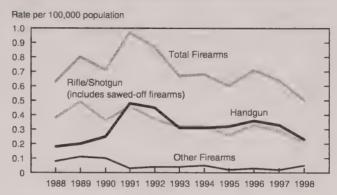
Methods Used To Commit Homicide, 1998



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1999.

Figure 4

### Rate of Firearm Homicides, 1988-1998



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1999.

Table 4

## Homicides involving Firearms, 1974 - 1998

| Year  | На     | ndgun                   | Rifle  | Rifle/Shotgun           |        | Fully automatic<br>firearm <sup>1</sup> |        | Sawed-off rifle/<br>shotgun <sup>1</sup> |        | irearms <sup>1</sup>    | Total homicides involving firearms |                         |
|-------|--------|-------------------------|--------|-------------------------|--------|---|--------|--|--------|-------------------------|------------------------------------|-------------------------|
|       | Number | % of Total<br>Homicides | Number | % of Total<br>Homicides | Number | % of Total<br>Homicides                 | Number | % of Total<br>Homicides                  | Number | % of Total<br>Homicides | Number                             | % of Total<br>Homicides |
| 1974  | 76     | 12.7                    | 180    | 30.0                    | ***    | ***                                     | 12     | 2.0                                      | 15     | 2.5                     | 283                                | 47.2                    |
| 1975  | 88     | 12.6                    | 183    | 26.1                    |        |   | 10     | 1.4                                      | 11     | 1.6                     | 292                                | 41.7                    |
| 1976  | 68     | 10.2                    | 165    | 24.7                    |        | ***                                     | 5      | 0.7                                      | 20     | 3.0                     | 258                                | 38.6                    |
| 1977  | 61     | 8.6                     | 161    | 22.6                    |        | ***                                     | 14     | 2.0                                      | 24     | 3.4                     | 260                                | 36.6                    |
| 1978  | 63     | 9.5                     | 177    | 26.8                    |        | ***                                     | 2      | 0.3                                      | 8      | 1.2                     | 250                                | 37.8                    |
| 1979  | 54     | 8.6                     | 135    | 21.4                    | ***    | ***                                     | 4      | 0.6                                      | 14     | 2.2                     | 207                                | 32.8                    |
| 1980  | 62     | 10.5                    | 120    | 20.3                    | ***    | ***                                     | 4      | 0.7                                      | 9      | 1.5                     | 195                                | 32.9                    |
| 1981  | 59     | 9.1                     | 123    | 19.0                    |        | ***                                     | 2      | 0.3                                      | 15     | 2.3                     | 199                                | 30.7                    |
| 1982  | 88     | 13.2                    | 146    | 21.9                    | ***    | ***                                     | 9      | 1.3                                      | 5      | 0.7                     | 248                                | 37.2                    |
| 1983  | 78     | 11.4                    | 127    | 18.6                    |        | 414                                     | 4      | 0.6                                      | 15     | 2.2                     | 224                                | 32.8                    |
| 1984  | 66     | 9.9                     | 142    | 21.3                    | ***    | ***                                     | 2      | 0.3                                      | 18     | 2.7                     | 228                                | 34.2                    |
| 1985  | 73     | 10.4                    | 131    | 18.6                    |        | ***                                     | 9      | 1.3                                      | 9      | 1.3                     | 222                                | 31.5                    |
| 1986  | 38     | 6.7                     | 114    | 20.0                    |        | ***                                     | 1      | 0.2                                      | 22     | 3.9                     | 175                                | 30.8                    |
| 1987  | 58     | 9.0                     | 108    | 16.8                    |        | ***                                     | 7      | 1.1                                      | 29     | 4.5                     | 202                                | 31.4                    |
| 1988  | 47     | 8.2                     | 94     | 16.3                    | ***    | ***                                     | 7      | 1.2                                      | 21     | 3.6                     | 169                                | 29.3                    |
| 1989  | 54     | 8.2                     | 131    | 19.9                    | ***    |   | 3      | 0.5                                      | 30     | 4.6                     | 218                                | 33.2                    |
| 1990  | 69     | 10.5                    | 99     | 15.0                    | ***    | ***                                     | 1      | 0.2                                      | 27     | 4.1                     | 196                                | 29.7                    |
| 1991  | 135    | 17.9                    | 103    | 13.6                    | 6      | 8.0                                     | 25     | 3.3                                      | 2      | 0.3                     | 271                                | 35.9                    |
| 1992  | 129    | 17.6                    | 90     | 12.3                    | 12     | 1.6                                     | 15     | 2.0                                      |        | 0.0                     | 246                                | 33.6                    |
| 1993  | 90     | 14.4                    | 76     | 12.1                    | 11     | 1.8                                     | 15     | 2.4                                      | 1      | 0.2                     | 193                                | 30.8                    |
| 1994  | 90     | 15.1                    | 66     | 11.1                    | 14     | 2.3                                     | 26     | 4.4                                      | -      | 0.0                     | 196                                | 32.9                    |
| 1995  | 95     | 16.2                    | 61     | 10.4                    | 5      | 0.9                                     | 15     | 2.6                                      |        | 0.0                     | 176                                | 29.9                    |
| 1996  | 107    | 16.9                    | 81     | 12.8                    | 8      | 1.3                                     | 16     | 2.5                                      |        | 0.0                     | 212                                | 33.4                    |
| 1997' | 99     | 16.9                    | 77     | 13.1                    | 2      | 0.3                                     | 10     | 1.7                                      | 5      | 0.9                     | 193                                | 32.9                    |
| 1998  | 70     | 12.6                    | 51     | 9.2                     | 12     | 2.2                                     | 14     | 2.5                                      | 4      | 0.7                     | 151                                | 27.2                    |

The addition of this new firearm category in 1991 and the improved identification of firearms and classification of sawed -off rifles/shotguns may account for some of the decrease in the numbers for the "other firearms" category.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1999.

Nil or zero.

Figures not applicable or not appropriate. Revised.

### Homicides by Cause of Death, 1997 and 1998

| Cause of death             | 1998   | <u> </u>   | 1      | 997'       |
|----------------------------|--------|------------|--------|------------|
| Cause of death             | Number | Percentage | Number | Percentage |
| 0.44                       |        |            |        |            |
| Stabbing                   | 184    | 33.2       | 168    | 28.7       |
| Shooting                   | 151    | 27.2       | 193    | 32.9       |
| Beating                    | 126    | 22.7       | 115    | 19.6       |
| Strangulation              | 60     | 10.8       | 53     | 9.0        |
| Fire (burns / suffocation) | 12     | 2.2        | 30     | 5.1        |
| Poisoning                  | 6      | 1.1        | 8      | 1.4        |
| Shaken Baby Syndrome       | 6      | 1.1        | 6      | 1.0        |
| Other                      | 4      | 0.7        | 8      | 1.4        |
| Unknown                    | 6      | 1.1        | 5      | 0.9        |
| Total                      | 555    | 100.0      | 586    | 100.0      |

r Revised.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1999.

33%, shooting 27%, beating 23%, strangulation/suffocation 11%, fire (burns) 2%, poisoning 1%, and shaking (Shaken Baby Syndrome) for 1% (Table 5).

Canada has adopted a number of legislative measures which are aimed at reducing firearm deaths and injuries. In 1977, Parliament passed legislation which amended the Criminal Code (Bill C-51), requiring individuals to obtain a Firearms Acquisition Certificate (FAC) before acquiring firearms. The legislation also introduced a variety of provisions including regulations on safe storage and display of firearms for businesses and bona fide gun collectors, and mandatory minimum sentences to deter the criminal use of firearms.

In 1991, Parliament strengthened the screening provisions for FAC applicants by introducing new legislation (Bill C-17). A multi-page form with a variety of questions concerning the applicant's personal and criminal history, personal references, picture, and a mandatory 28-day waiting period for approved FAC applicants were incorporated. Under this legislation all firearm owners have to comply with safe storage, handling, display, and transportation of firearms.

In December 1995, Parliament passed Canada's newest firearms legislation (Bill C-68) which created a new Firearms Act and amended the Criminal Code. The legislation created strict new penalties for firearms trafficking and smuggling, and tougher mandatory minimum sentences for 10 serious offences involving firearms. Beginning December 1, 1998, all firearm owners and users were required to obtain a firearm licence and all firearms will have to be registered by January 2003 (this includes non-restricted rifles and shotguns). The new legislation is intended to reduce firearm deaths and injuries by further encouraging the safe use and storage of firearms, assisting police investigations, and deterring the misuse of firearms.

## AGE AND SEX OF VICTIMS AND ACCUSED

# Males account for two-thirds of victims and eighty-eight percent of accused

Historically, about two-thirds of homicide victims have been male. This pattern also held true in 1998. The median<sup>9</sup> ages for male and female victims of homicide were 32 and 35 years of age, respectively.

Males accounted for 88% of all those accused of homicide in 1998, consistent with the average for the previous ten years. Females accused of homicide tended to kill family members (65% of the time) more often than male accused (31%).

#### Average age of accused rising

In the United States, much has been made of the fact that persons accused of homicide have become increasingly younger over the past decade<sup>10</sup>. This does not appear to be the case, however, in Canada. The median age as well as the average age of those accused of homicide has actually increased slightly over the past 25 years. From 1974 to 1986, the median age of the accused was either 26 or 27 years. Since 1986, the median age has ranged from 27 to 29 years. The most common single age (mode) for someone accused of homicide in 1998 was 20 years with an age-specific rate of 7.5 per 100,000 population (Figure 5).

The 16-34 age group tends to be the highest risk group for committing homicide and other violent crimes, accounting for two-thirds of all accused in a given year, while comprising approximately 27% of the total population. The population in this age group has been shrinking both in number and as a proportion of the total population since 1990, and is expected to reach its smallest size around the year 2000, at which point it is projected to increase again<sup>11</sup>. This changing proportion may have an impact on future homicide rates.

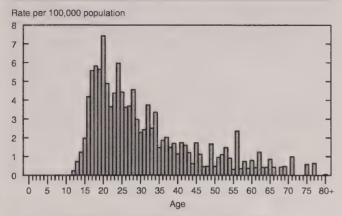
Median refers to the middle value in a set of values ordered from lowest to highest.

Law Enforcement News, Vol.XXII, No. 452. John Jay College of Criminal Justice/CUNY. September 30, 1996: 6.

Statistics Canada. Population Projections for Canada, Provinces and Territories, 1993-2016, Catalogue 91-520, December 1994.

Figure 5

## Homicide Accused Age-Specific Rates, 1998



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1999.

## **ACCUSED-VICTIM RELATIONSHIP**

Data indicate that homicides are more likely to be committed by someone known to the victim than by a stranger. These and other related distributions exclude unsolved homicide incidents (22% of all incidents in 1998).

In 1998, in cases that were solved (i.e., 410 incidents where an accused had been identified), 65 (15%) victims were killed by a stranger. The proportion of stranger homicides has remained relatively stable over the past ten years, ranging from 12% to 17%. A little more than half (54%) of incidents where victims were killed by strangers occurred during the commission of another criminal offence, usually a robbery. Male victims were two-and-a-half times more likely to be killed by strangers (19%) than female victims (8%), as well as being at greater risk of being killed by a non-intimate acquaintance (54% versus 21%).<sup>12</sup>

In 1998 there was a 9% decline in family homicides, involving spouses, parents, children, siblings or other members related either by blood, marriage or adoption. This type of homicide included: 70 victims killed by a spouse, 51 killed by a parent, 20 by a son or daughter, 9 by a sibling and 21 by another relative<sup>13</sup>. (Table 6).

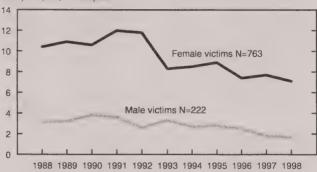
#### Spousal homicides steadily decreasing

Spousal homicides include persons in registered marriages, in common-law relationships and persons separated or divorced from such unions. These homicides account for one out of every six solved homicides. In 1998, 70 persons were killed by a spouse, down from an average of 93 victims since 1991. Four in five spousal homicide victims were women. This declining trend may primarily be the result of reduced exposure to abusive or violent relationships as a consequence of the changing living arrangements of men and women, improvements in the economic status of women, and increases in the availability of domestic violence services (e.g., safe houses or shelters, counselling, financial aid). 14 15

Figure 6

### Spousal Homicide Rate, 1988-1998

Rate per 1,000,000 couples



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1999.

Despite yearly fluctuations, the rate of spousal homicide has gradually declined, from 12 wives per million couples<sup>16</sup> in 1991 to 7 per million in 1998. For husbands, the rate has dropped from four per million couples in 1990 to two per million in 1998 (Figure 6).

In 1998, 46 women were killed by a current spouse (legal or common-law), and 11 were killed by a separated or divorced spouse. The data also show that women were almost five times more likely to be killed by a spouse than by a stranger. Of the 13 men killed by a spouse in 1998, 12 were killed by a current spouse and 1 by a separated spouse. Six in 10 incidents of spousal homicides involved a history of domestic violence between the victim and the accused that was known to police (7 in 10 incidents where the victim was male and 5 in 10 where the victim was female).

Historically in homicide incidents, wives tend to stab their spouses while husbands tend to shoot their spouses. However, in 1998, more wives were stabbed (36%) by their spouse than were shot (30%). The majority (77%) of husbands were stabbed, consistent with previous years.

In addition to those killed by a spouse, 10 females were killed by a boyfriend or ex-boyfriend, as compared to 2 males killed by intimates other than spouses. In all, 55% of all female victims and 6% of male victims in 1998 were killed by a person with whom they had an intimate relationship at one point in time, either through marriage or dating.

For more information on stranger homicides, see - Janhevich, D. 1998. Violence committed by strangers. Juristat, Catalogue 85-002-XIE, Vol. 18, No. 9. Ottawa: Statistics Canada.

For more information on family violence, see - Fitzgerald, R. 1999. Family Violence in Canada: A Statistical Profile, Catalogue 85-224-XPE, Ottawa: Statistics Canada.

For more information on services available to abused spouses, see -Trainor, C. 1999. Canada's Shelters for Abused Women. Juristat, Catalogue 85-002-XPE, Vol. 19, No. 6. Ottawa; Statistics Canada.

Dugan, L., Nagin, D. and Rosenfeld, R. Homicide Studies, Vol. 3, No. 3, August 1999: 188.

<sup>16</sup> Includes married, common-law, separated or divorced couples.

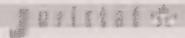


Table 6

### Solved Homicides by Accused-Victim Relationship<sup>1</sup>, 1997 and 1998

| Relationship Type                   | 19     | 98      | 19     | 997 <sup>r</sup> | Average 1991-1997 |         |
|-------------------------------------|--------|---------|--------|------------------|-------------------|---------|
| (Accused was)                       | Number | Percent | Number | Percent          | Number            | Percent |
| Family Relationship                 |        |         |        |                  |                   |         |
| Husband (legal and common-law)      | 46     | 10.7    | 44     | 9.6              | 52                | 9.9     |
| Husband (separated/divorced)        | 11     | 2.6     | 18     | 3.9              | 20                | 3.8     |
| Same sex spouse                     | -      | 0.0     | 1      | 0.2              | ***               |         |
| Wife (legal and common-law)         | 12     | 2.8     | 12     | 2.6              | 19                | 3.6     |
| Wife (separated/divorced)           | 1      | 0.2     | 1      | 0.2              | 2                 | 0.3     |
| Father                              | 34     | 7.9     | 37     | 8.0              | 27                | 5.2     |
| Mother                              | 17     | 3.9     | 26     | 5.7              | 18                | 3.5     |
| Child                               | 20     | 4.6     | 18     | 3.9              | 19                | 3.7     |
| Sibling                             | 9      | 2.1     | 9      | 2.0              | 12                | 2.2     |
| Other family relation               | 21     | 4.9     | 22     | 4.8              | 19                | 3.7     |
| Total Family                        | 171    | 39.7    | 188    | 40.9             | 187               | 36.1    |
| Acquaintance                        |        |         |        |                  |                   |         |
| (ex) Boyfriend/girlfriend           | 12     | 2.8     | 19     | 4.1              | 27                | 5.3     |
| Close Acquaintance                  | 26     | 6.0     | 28     | 6.1              | 31                | 6.1     |
| Authority figure                    | 3      | 0.7     | 3      | 0.7              |                   |         |
| Business associate (legal)          | 12     | 2.8     | 9      | 2.0              | 16                | 3.0     |
| Criminal relationships <sup>2</sup> | 28     | 6.5     | 27     | 5.9              | 38                | 7.3     |
| Neighbour                           | 15     | 3.5     | 22     | 4.8              | 25                | 4.8     |
| Casual acquaintance                 | 97     | 22.5    | 98     | 21.3             | 117               | 22.6    |
| Total Acquaintance                  | 193    | 44.8    | 206    | 44.8             | 254               | 48.9    |
| Stranger                            | 65     | 15.1    | 63     | 13.7             | 72                | 13.9    |
| Unknown relationship                | 2      | 0.5     | 3      | 0.7              | 5                 | 1.0     |
| TOTAL SOLVED HOMICIDES              | 431    | 100.0   | 460    | 100.0            | 519               | 100.0   |

<sup>1</sup> Includes only homicide incidents in which there are known suspects. If there was more than one suspect, only the closest relationship to the victim was recorded.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1999.

## First year of life holds greatest risk of being victim of homicide

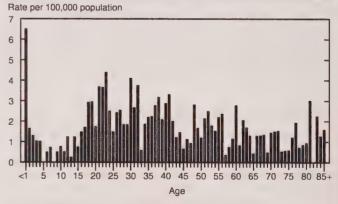
There were 54 children (under the age of 12) killed in 1998, slightly higher than the average of 52 killed each year since 1988. In 1998, females were accused in 38% of homicides involving children, compared to 9% of homicides involving adolescents and adults (12 years of age and older).

Figure 7 shows that, in 1998, the age of greatest risk of being a homicide victim was during the first year of life. This pattern does not hold true for all years, but was also the case in 1993 and 1994.

The number of infants under one year of age who were killed in 1998 almost doubled, from 13 in 1997 to 23 in 1998. During the previous ten years, there has been an annual average of 12 victims of homicide under one year of age, accounting for between 2.5% and 5.0% of all victims. The number of infants killed by their parents also increased more than twofold in 1998, from 8 to 18 (11 by the father, 6 by the mother and 1 by both parents). The average age of the mothers and fathers charged was 24. Five of the seven mothers were single, and two were living in a common-law relationship (one with a co-accused), whereas, only one of the twelve fathers was single, nine were in common-law relationships (one with a co-accused), and two were

Figure 7

# Homicide Age-Specific Victim Rates, 1998



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1999.

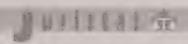
legally married. In the remaining incidents, one infant was killed by a babysitter, another by a stranger, and in three cases the accused was unknown.

<sup>&</sup>lt;sup>2</sup> Includes prostitutes, drug dealers and their clients.

<sup>-</sup> Nil or zero.

<sup>...</sup> Figures not applicable or not appropriate.

Revised.



Under Section 233 of the Criminal Code, there is a provision — infanticide - for diminished responsibility in the case of a mother killing her newly-born child, "if at the time of the act ... she is not fully recovered from the effects of giving birth ... or of the effect of lactation ... [and] her mind is ... disturbed." In 1998, for all infant homicides, three of the accused mothers were charged with infanticide, three with second degree murder, and one with manslaughter. On the other hand, nine fathers were charged with manslaughter, two with second degree murder, and one with first degree murder.

The figure for infants may still be under-reported since some claims of accidental childhood deaths such as falls or "sudden infant deaths" could actually be due to child abuse. However, in 1995, most provinces legislated mandatory coroner inquests into deaths of children less than two years of age, which may have resulted in the increased reporting and classification of these cases as homicides.

## ALCOHOL/DRUG INVOLVEMENT

For the purposes of this report, "drugs" refer to illegal, controlled and restricted substances as defined by the Controlled Drugs and Substances Act which replaced the Narcotic Control Act and the Food and Drugs Act as of 1997. Prior to 1997, the regulation of drugs fell under two separate federal statutes: The Narcotic Control Act, which dealt with illicit drugs such as cannabis, cocaine and heroin; and, the Food and Drugs Act, which dealt with controlled and restricted drugs such as amphetamines, LSD and various prescription drugs. On May 14, 1997, a new act entitled the Controlled Drugs and Substances Act (CDSA) was proclaimed, replacing the two previous acts. The CDSA consolidates certain parts of the two previous acts, modernizing and enhancing Canada's drug abuse control policy. Another focus of the CDSA is to fulfil Canada's international obligations under several international protocols on drugs.

# Five in ten accused and four in ten victims had consumed alcohol / drugs

Alcohol, drugs and other intoxicants are known to play a role in the commission of many crimes including homicide.<sup>17</sup> In 1998, police reported that 38% of homicide victims and 50% of accused persons had consumed alcohol and/or drugs at the time of the offence, consistent with patterns since 1991 when this information was first collected in the Homicide Survey. Male victims were almost twice as likely as female victims to have consumed alcohol and/or drugs, whereas both male and female accused were equally likely to have been under the influence.

#### One in seven homicide incidents are drug-related

Drugs and drug dealing are believed to be the causes of many types of crimes, including homicide. In 1998, one in seven (73) homicide incidents were reported by the police to be drug-related, 30% higher than in any year since 1991 when this question was added to the Homicide Survey. This change may be the result of better reporting and follow-up procedures by the police. Of the 77 victims, 34 were reported to be drug dealers, 24 were not in the labour force, 5 were prostitutes, 12 had various other occupations, and for 2 of the victims the occupations were not known.<sup>18</sup>

## Homicides committed during commission of another offence

Almost one-third of all homicide incidents reported in 1998 occurred during the commission of another criminal offence. Of these 173 incidents, 113 were committed at the same time as another violent offence: 56 during an assault, 34 during a robbery, 13 during a sexual assault, 5 as a result of a stalking 19, 3 during a kidnapping/abduction, and 2 during other violent offences. A further 8 homicides occurred as a result of arson, 16 during other property offences, and 36 in combination with other types of criminal offences.

## One in ten accused suspected of having a mental or developmental disorder

Studies on the Canadian prison population have found that onethird of incarcerated persons suffer from some sort of mental or developmental disorder (e.g., schizophrenia, mental retardation, dyslexia, etc.).<sup>20</sup> In order to address this issue of the mental state of the accused immediately before or during the homicide incident, a new question was added to the Homicide Survey in 1997. The data indicate that, in 1998, 10% of the persons accused of homicide were suspected by police of having a mental or developmental disorder. This proportion is most likely underestimated since police officers may not feel qualified to make such assessments.

## **OCCUPATIONS AT RISK**

### One police officer murdered in the line of duty

Despite the obvious dangers inherent in police work, the murder of police officers in Canada in the line of duty is a relatively rare occurrence. Since 1961, an average of three police officers each year has been murdered as a result of performing their duties; all but five were shot. In 1998, one police officer was a victim of homicide. By comparison, the United States, with a population ten times greater than Canada's, reported 65 police officers murdered on the job in 1997 (latest year for which figures are available), and all but three were killed with a firearm. In addition, one correctional officer was killed in Canada in the line of duty in 1998.

There were 23 other persons who were victims of homicide "on the job" in 1998 in Canada: 6 store clerks/managers, 4 food/beverage industry workers, 2 security guards, 2 taxi drivers, and 9 in other occupations.

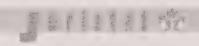
There were also seven known prostitutes killed in the course of their work, up from four in 1997. It should be noted that the number of prostitutes reported killed most likely under-represents

<sup>17</sup> Sacco, V., and L. Kennedy. 1994. The Criminal Event. Scarborough, Ontario. Nelson Canada: 47.

For more information, see - Tremblay, S. 1999. Illicit Drugs and Crime in Canada, Juristat, Catalogue 85-002-XPE, Vol. 19, No. 1. Ottawa: Statistics Canada

<sup>19</sup> For more information on this topic, see - Kong, R. 1996. Criminal Harassment, Juristat, Catalogue 85-002-XPE, Vol. 16, No. 12. Ottawa: Statistics Canada.

Coté, G. and S. Hodgins. International Journal of Law and Psychiatry, Vol. 15, 1992: 89-99.



the actual figure: only those incidents where the police are certain that the victim was killed in the course of engaging in prostitution-related activities are counted.<sup>21</sup>

## YOUTH HOMICIDE

Since the introduction of the *Young Offenders Act* in 1984, and most recently the newly proposed *Youth Criminal Justice Act*, much publicity has focussed on youths accused of homicide and their subsequent treatment by the courts. In this report, "youths accused of homicide" represent persons 12 to 17 years of age.

### Rate of homicides by youths remains stable

Over the last ten years, the youth homicide rate has remained relatively stable, while the homicide rate for adults has generally been decreasing. From 1988 through 1997, an average of 52 youths were accused each year, accounting for 9% of persons accused of homicide annually, slightly higher than their population share of 8% (Table 7). In 1998, 57 youths were accused of homicide, representing 11% of all persons accused of homicide. The rate of homicides for youths ranged between 1.5 and 2.9 per 100,000 youths since 1988, and in 1998 was 2.3 per 100,000 youths (Figure 8).

During the previous ten years, 14% of all youths accused of homicide were female. In 1998, females represented only 5% of youths accused.

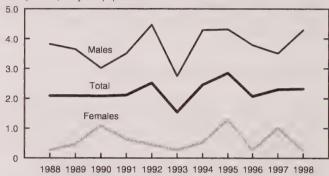
Youths are more likely than adults to kill other youths and the elderly. In cases that were solved in 1998, 19% of all victims killed by youths were 12-17 years old compared to only 4% of all victims killed by adults. Similarly, a further 19% of victims killed by youths were 60 years of age or over, compared to 12% of victims killed by adults. The largest proportion of victims killed by youth were between 30 and 39 years of age (26%), while for adult accused, it was victims age 18-29 years (25%).

Looking at accused-victim relationships in youth homicide incidents, the data for 1998 show that youths were less likely to kill family members than adult accused (21% vs. 37%). The percentage of acquaintances killed by youths were identical (46%) to those of adult accused, while youths were twice as likely to kill strangers than adults (30% vs. 17%).

Figure 8

# Youths (Aged 12 to 17 Years) Accused of Homicide, 1988-1998

Rate per 100,000 youth population



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1999.

Table 7

## Youths (12-17 Years) Accused of Homicide, Canada, 1988-1998

|       | ,       | Youth Population             | n=1 '   | Youths Accused of Homicide |        |       |      |                                      |       |      |  |  |
|-------|---------|------------------------------|---------|----------------------------|--------|-------|------|--------------------------------------|-------|------|--|--|
| Year  |         | (Aged 12-17 Years)<br>(000s) |         |                            | Number |       |      | Rate per 100,000<br>Youth Population |       |      |  |  |
|       | Male    | Female                       | Total   | Male                       | Female | Total | Male | Female                               | Total |      |  |  |
| 1988  | 1,151.7 | 1,096.2                      | 2,247.9 | 44                         | 3      | 47    | 3.82 | 0.27                                 | 2.09  | 8.9  |  |  |
| 1989  | 1,150.9 | 1,093.1                      | 2,244.0 | 42                         | 5      | 47    | 3.65 | 0.46                                 | 2.09  | 8.4  |  |  |
| 1990  | 1,158.6 | 1,097.5                      | 2,256.1 | 35                         | 12     | 47    | 3.02 | 1.09                                 | 2.08  | 8.5  |  |  |
| 1991  | 1,167.8 | 1,106.2                      | 2,273.9 | 41                         | 7      | 48    | 3.51 | 0.63                                 | 2.11  | 7.5  |  |  |
| 1992  | 1,185.0 | 1,120.1                      | 2,305.1 | 53                         | 5      | 58    | 4.47 | 0.45                                 | 2.52  | 9.0  |  |  |
| 1993  | 1,198.0 | 1,132.9                      | 2,330.9 | 33                         | 3      | 36    | 2.75 | 0.26                                 | 1.54  | 6.6  |  |  |
| 1994  | 1,212.3 | 1,146.8                      | 2,359.1 | 52                         | 6      | 58    | 4.29 | 0.52                                 | 2.46  | 10.7 |  |  |
| 1995  | 1,226.1 | 1,160.2                      | 2,386.3 | 53                         | 15     | 68    | 4.32 | 1.29                                 | 2.85  | 12.2 |  |  |
| 1996  | 1,241.5 | 1,176.1                      | 2,417.6 | 47                         | 3      | 50    | 3.79 | 0.26                                 | 2.07  | 9.2  |  |  |
| 1997r | 1,252.8 | 1,187.1                      | 2,439.8 | 44                         | 12     | 56    | 3.51 | 1.01                                 | 2.30  | 11.0 |  |  |
| 1998  | 1,259.0 | 1,193.0                      | 2,451.9 | 54                         | 3      | 57    | 4.29 | 0.25                                 | 2.32  | 11.1 |  |  |

Population estimates at July 1st provided by Statistics canada, Census and Demographic Statistics, Demography Division

Source: Homicide Survey, Canadian Centre for Justice Statistics. October 1998.

<sup>21</sup> For more information on prostitution, see - Duchesne, D. 1997. Street Prostitution in Canada, Juristat, Catalogue 85-002-XPE, Vol. 17 No. 2. Ottawa: Statistics Canada.

r Revised.

## METHODOLOGY

The Homicide Survey has collected police-reported data on homicide incidents since 1961, including the characteristics of victims and accused. Whenever a homicide becomes known to the police, the investigating police department completes a survey questionnaire. This questionnaire remained virtually unchanged from 1961 to 1990. In 1991 and later in 1997, in an effort to respond to changing information needs, the survey was revised and expanded.

Note that the homicide count for each year reflects the number of homicides reported to police in that year, regardless of the date that the homicide actually occurred. Also, socio-demographic and other information (e.g., history of domestic violence, alcohol / drug consumption) on persons accused of homicide are only available for solved incidents (i.e., where at least one accused has been identified).

## **GLOSSARY OF TERMS**

Homicide occurs when a person directly or indirectly, by any means, causes the death of a human being. Homicide is either culpable (murder, manslaughter or infanticide) or not culpable (not an offence) (Criminal Code of Canada, sections 222 – 240).

**Murder** occurs when a person intentionally causes the death of another human being, or means to cause bodily harm that the person knows is likely to cause death.

#### First degree murder occurs when:

- a) it is planned and deliberate; or
- b) the victim is a person employed and acting in the course of his/her work for the preservation and maintenance of the public peace (e.g., police officer, correctional worker);
- the death is caused by a person committing or attempting to commit certain serious offences (e.g., sexual assault, kidnapping, hijacking).

Table 8

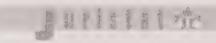
| Number | of h | lomicio | des, 1 | 1961- | 1998 |
|--------|------|---------|--------|-------|------|
|--------|------|---------|--------|-------|------|

| Year              | Nfld. | P.E.1. | N.S. | N.B. | Que.  | Ont.  | Man.  | Sask. | Alta. | B.C.  | Yukon | N.W.T. <sup>1</sup> | Canada |
|-------------------|-------|--------|------|------|-------|-------|-------|-------|-------|-------|-------|---------------------|--------|
| 1961              | 1     | 1      | 6    | 2    | 52    | 89    | 15    | 14    | 18    | 34    | 1     |                     | 233    |
| 1962              | -     | 1      | 10   | 8    | 62    | 76    | 19    | 13    | 18    | 55    | 3     | -                   | 265    |
| 1963              | 3     | _      | 6    | 5    | 69    | 76    | 16    | 8     | 27    | 35    | 3     | 1                   | 249    |
| 1964              | 5     | -      | 13   | 5    | 52    | 81    | 16    | 20    | 25    | 32    | 1     | 3                   | 253    |
| 1965              | 6     | 4      | 10   | 5    | 63    | 77    | 15    | 15    | 20    | 57    | 3     | 2                   | 277    |
| 1966              | 3     | 1      | 9    | 6    | 56    | 71    | 17    | 12    | 27    | 48    |       |                     | 250    |
| 1967              | 1     | -      | 10   | 5    | 75    | 114   | 15    | 25    | 38    | 47    | 6     | 2                   | 338    |
| 1968              | 5     | _      | 9    | 5    | 102   | 104   | 28    | 23    | 25    | 73    | 1     | -                   | 375    |
| 1969              | 5     | 1      | 12   | 1    | 126   | 111   | 28    | 33    | 23    | 50    |       | 1                   | 391    |
| 1970              | 1     | 1      | 15   | 8    | 141   | 115   | 29    | 24    | 42    | 78    | 6     | 7                   | 467    |
| 1971              | 2     | -      | 16   | 10   | 124   | 151   | 33    | 29    | 45    | 61    |       | 2                   | 473    |
| 1972              | 2     | 2      | 14   | 11   | 157   | 141   | 36    | 28    | 37    | 88    | 3     | 2                   | 521    |
| 1973              | 3     | _      | 19   | 17   | 155   | 160   | 38    | 23    | 36    | 87    | 4     | 4                   | 546    |
| 1974              | 3     | 2      | 8    | 21   | 169   | 160   | 42    | 31    | 44    | 107   | 5     | 8                   | 600    |
| 1975              | 4     |        | 14   | 12   | 226   | 206   | 37    | 36    | 57    | 98    | 6     | 5                   | 701    |
| 1976              | 6     | 2      | 25   | 14   | 205   | 183   | 31    | 34    | 68    | 88    | 4     | 8                   | 668    |
| 1977              | 8     | 1      | 14   | 38   | 197   | 192   | 44    | 46    | 70    | 91    | 6     | 4                   | 711    |
| 1978              | 9     | à      | 13   | 27   | 180   | 182   | 39    | 32    | 84    | 85    | 2     | 4                   | 661    |
| 1979              | 5     | 7      | 17   | 11   | 186   | 175   | 44    | 36    | 56    | 90    | 4     | 7                   | 631    |
| 1980              | 3     | 1      | 12   | 9    | 181   | 158   | 31    | 31    | 55    | 105   | 2     | Á                   | 592    |
| 1981              | 4     | 1      | 11   | 17   | 186   | 170   | 41    | 29    | 73    | 110   | 1     | 5                   | 648    |
| 1982              | 6     |        | 12   | 13   | 190   | 184   | 35    | 39    | 70    | 109   | 2     | 7                   | 667    |
| 1983              | 6     | _      | 13   | 11   | 190   | 202   | 40    | 33    | 75    | 108   | 1     | 3                   | 682    |
| 1984              | 6     |        | 15   | 14   | 198   | 190   | 43    | 30    | 54    | 110   | 2     | 5                   | 667    |
| 1985              | 5     | 1      | 26   | 14   | 219   | 193   | 26    | 28    | 63    | 113   | 6     | 10                  | 704    |
| 1986              | 4     |        | 15   | 12   | 156   | 139   | 47    | 26    | 64    | 89    | 3     | 14                  | 569    |
| 1987              | 5     | _      | 14   | 20   | 174   | 204   | 44    | 30    | 73    | 78    | -     | 2                   | 644    |
| 1988              | 7     | 4      | 11   | 8    | 154   | 186   | 31    | 23    | 66    | 80    | 1     | 8                   | 576    |
| 1989              | 5     | 1      | 16   | 18   | 215   | 175   | 43    | 22    | 67    | 86    | 2     | 7                   | 657    |
| 1990              | J.    | 1      | 9    | 12   | 184   | 182   | 39    | 36    | 74    | 110   | 1     | 12                  | 660    |
| 1991              | 10    | 2      | 21   | 17   | 181   | 245   | 42    | 21    | 84    | 128   |       | 3                   | 754    |
| 1992              | 2     | ۷      | 21   | 11   | 166   | 242   | 29    | 32    | 92    | 122   | 2     | 13                  | 732    |
| 1992              | 2     | 2      | 19   | 11   | 159   | 192   | 31    | 30    | 49    | 120   | 2     | 7                   | 627    |
| 1993              | 4     | 1      | 19   | 15   | 126   | 192   | 29    | 24    | 66    | 113   | 3     | 4                   | 596    |
|                   |       | 4      | 17   | 14   | 135   | 181   | 29    | 21    | 60    | 120   | 4     | 3                   | 588    |
| 1995<br>1996      | 5     | 1      | 17   | 9    | 154   | 187   | 45    | 32    | 53    | 125   | **    | 4                   | 635    |
|                   | /     |        |      | 8    |       | 178   |       |       | 61    | 116   | 1     | 3                   | 586    |
| 1997 <sup>r</sup> | 7     |        | 24   |      | 132   |       | 31    | 25    | 64    |       | 2     | 3<br>5              | 555    |
| 1998              | 7     | •      | 24   | 5    | 137   | 155   | 33    | 32    | 64    | 90    | 3     | 3                   | 333    |
| Total             | 172   | 33     | 557  | 449  | 5,634 | 6,019 | 1,229 | 1,026 | 2,023 | 3,336 | 92    | 179                 | 20,749 |

<sup>1</sup> Includes Nunavut

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1999.

Nil or zero.
 Revised



Second degree murder is all murder that is not first degree.

Manslaughter is generally considered to be a homicide committed in the heat of passion caused by sudden provocation. It also includes other culpable homicides that are not murders or infanticides.

Infanticide occurs when a female causes the death of her newlyborn child, if her mind is considered disturbed from the effects of giving birth or effects of lactation. Offence - one offence is counted for each victim of homicide.

Incident - an incident is defined as the occurrence of one (or more) criminal offence(s) during one single, distinct event, regardless of the number of victims. If there are multiple victims or multiple suspects, the offences must occur at the same location and at the same time if they are to be included within the same incident. The incident count will normally be lower than the victim (or offence) count due to incidents involving multiple victims.

Table 9

### Homicide Rates<sup>1</sup>, 1961-1998<sup>2</sup>

| Year              | Nfld. | P.E.I. | N.S. | N.B. | Que.   | Ont. | Man. | Sask. | Alta. | B.C. | Yukon | N.W.T. <sup>3</sup> | Canada |
|-------------------|-------|--------|------|------|--------|------|------|-------|-------|------|-------|---------------------|--------|
|                   |       |        |      |      |        |      |      |       |       |      |       |                     |        |
| 1961              | 0.22  | 0.96   | 0.81 | 0.33 | 0.99   | 1.43 | 1.63 | 1.51  | 1.35  | 2.09 | 6.85  | 0.00                | 1.28   |
| 1962              | 0.00  | 0.93   | 1.38 | 1.32 | 1.15   | 1.20 | 2.03 | 1.40  | 1.31  | 3.31 | 20.00 | 0.00                | 1.43   |
| 1963              | 0.63  | 0.00   | 0.80 | 0.82 | 1.26   | 1.17 | 1.69 | 0.86  | 1.92  | 2.06 | 20.00 | 3.85                | 1.32   |
| 1964              | 1.04  | 0.00   | 1.72 | 0.82 | 0.93   | 1.22 | 1.67 | 2.12  | 1.75  | 1.83 | 6.67  | 11.11               | 1.31   |
| 1965              | 1.23  | 3.67   | 1.32 | 0.81 | 1.11   | 1.13 | 1.55 | 1.58  | 1.38  | 3.17 | 21.43 | 7.41                | 1.41   |
| 1966              | 0.61  | 0.92   | 1.19 | 0.97 | 0.97   | 1.02 | 1.77 | 1.26  | 1.85  | 2.56 | 0.00  | 0.00                | 1.25   |
| 1967              | 0.20  | 0.00   | 1.32 | 0.81 | 1.28   | 1.60 | 1.56 | 2.61  | 2.55  | 2.42 | 40.00 | 6.90                | 1.66   |
| 1968              | 0.99  | 0.00   | 1.17 | 0.80 | 1.72   | 1.43 | 2.88 | 2.40  | 1.64  | 3.64 | 6.67  | 0.00                | 1.81   |
| 1969              | 0.97  | 0.90   | 1.55 | 0.16 | 2.11   | 1.50 | 2.86 | 3.44  | 1.48  | 2.43 | 0.00  | 3.23                | 1.86   |
| 1970              | 0.19  | 0.91   | 1.92 | 1.28 | 2.34   | 1.52 | 2.95 | 2.55  | 2.63  | 3.67 | 35.29 | 21.21               | 2.19   |
| 1971              | 0.38  | 0.00   | 2.01 | 1.56 | 2.02   | 1.92 | 3.30 | 3.11  | 2.70  | 2.72 | 0.00  | 5.49                | 2.15   |
| 1972              | 0.37  | 1.76   | 1.75 | 1.70 | 2.54   | 1.77 | 3.59 | 3.04  | 2.18  | 3.82 | 14.89 | 5.16                | 2.34   |
| 1973              | 0.55  | 0.00   | 2.34 | 2.59 | 2.49   | 1.98 | 3.77 | 2.52  | 2.09  | 3.68 | 18.91 | 9.82                | 2.43   |
| 1974              | 0.55  | 1.72   | 0.98 | 3.16 | 2.70   | 1.95 | 4.12 | 3.41  | 2.51  | 4.38 | 23.73 | 19.45               | 2.63   |
| 1975              | 0.72  | 0.00   | 1.69 | 1.77 | 3.57   | 2.48 | 3.61 | 3.92  | 3.15  | 3.92 | 27.39 | 11.67               | 3.03   |
| 1976              | 1.07  | 1.69   | 2.99 | 2.03 | 3.20   | 2.17 | 3.00 | 3.65  | 3.64  | 3.47 | 17.80 | 18.05               | 2.85   |
| 1977              | 1.42  | 0.83   | 1.67 | 5.46 | 3.06   | 2.26 | 4.24 | 4.87  | 3.59  | 3.54 | 26.27 | 8.96                | 3.00   |
| 1978              | 1.59  | 3.29   | 1.54 | 3.86 | 2.79   | 2.12 | 3.75 | 3.36  | 4.15  | 3.25 | 8.42  | 8.84                | 2.76   |
| 1979              | 0.88  | 0.00   | 2.00 | 1.56 | 2.88   | 2.02 | 4.24 | 3.75  | 2.67  | 3.38 | 16.67 | 15.31               | 2.61   |
| 1980              | 0.52  | 0.81   | 1.41 | 1.27 | 2.78   | 1.81 | 3.00 | 3.20  | 2.51  | 3.83 | 8.22  | 8.64                | 2.41   |
| 1981              | 0.70  | 0.81   | 1.29 | 2.41 | 2.84   | 1.93 | 3.96 | 2.97  | 3.18  | 3.90 | 4.18  | 10.51               | 2.61   |
| 1982              | 1.04  | 0.00   | 1.40 | 1.84 | 2.89   | 2.06 | 3.34 | 3.95  | 2.96  | 3.79 | 8.17  | 14.14               | 2.66   |
| 1983              | 1.04  | 0.00   | 1.50 | 1.54 | 2.88   | 2.23 | 3.77 | 3.29  | 3.14  | 3.72 | 4.23  | 5.88                | 2.69   |
| 1984              | 1.03  | 0.00   | 1.71 | 1.94 | 2.99   | 2.07 | 4.01 | 2.95  | 2.26  | 3.73 | 8.36  | 9.51                | 2.60   |
| 1985              | 0.86  | 0.78   | 2.94 | 1.93 | 3.29   | 2.08 | 2.40 | 2.73  | 2.62  | 3.80 | 24.63 | 18.38               | 2.72   |
| 1986              | 0.69  | 0.00   | 1.69 | 1.65 | 2.33   | 1.47 | 4.31 | 2.53  | 2.63  | 2.96 | 12.26 | 25.60               | 2.18   |
| 1987              | 0.87  | 0.00   | 1.57 | 2.75 | 2.57   | 2.12 | 4.01 | 2.90  | 3.00  | 2.56 | 0.00  | 3.63                | 2.43   |
| 1988              | 1.22  | 0.77   | 1.23 | 1.10 | 2.25   | 1.89 | 2.81 | 2.24  | 2.69  | 2.57 | 3.76  | 14.36               | 2.15   |
| 1989              | 0.87  | 0.77   | 1.77 | 2.45 | . 3.10 | 1.73 | 3.90 | 2.16  | 2.68  | 2.69 | 7.37  | 12.28               | 2.41   |
| 1990              | 0.00  | 0.77   | 0.99 | 1.62 | 2.63   | 1.77 | 3.53 | 3.57  | 2.90  | 3.34 | 3.60  | 20.37               | 2.38   |
| 1991              | 1.73  | 1.53   | 2.29 | 2.28 | 2.56   | 2.35 | 3.79 | 2.09  | 3.24  | 3.79 | 0.00  | 4.92                | 2.69   |
| 1992              | 0.34  | 0.00   | 2.28 | 1.47 | 2.33   | 2.29 | 2.61 | 3.19  | 3.49  | 3.52 | 6.61  | 20.83               | 2.58   |
| 1993              | 1.21  | 1.51   | 2.06 | 1.47 | 2.22   | 1.80 | 2.77 | 2.98  | 1.83  | 3.36 | 0.00  | 11.02               | 2.18   |
| 1994              | 0.70  | 0.75   | 2.05 | 2.00 | 1.75   | 1.77 | 2.58 | 2.38  | 2.44  | 3.07 | 9.98  | 6.14                | 2.05   |
| 1995              | 0.88  | 0.74   | 1.83 | 1.86 | 1.86   | 1.65 | 2.39 | 2.07  | 2.19  | 3.17 | 12.95 | 4.51                | 2.00   |
| 1996              | 1.25  | 0.73   | 1.93 | 1.20 | 2.12   | 1.68 | 3.97 | 3.14  | 1.91  | 3.22 | 0.00  | 5.92                | 2.14   |
| 1997 <sup>r</sup> | 1.26  | 0.00   | 2.57 | 1.06 | 1.81   | 1.58 | 2.73 | 2.45  | 2.15  | 2.93 | 3.10  | 4.42                | 1.95   |
| 1998              | 1.29  | 0.00   | 2.57 | 0.66 | 1.87   | 1.36 | 2.90 | 3.12  | 2.20  | 2.24 | 9.48  | 7.41                | 1.83   |

Rates are calculated per 100,000 population.

Estimates of population used:

1961-1990: Revised intercensal estimates

1991-1995: Final intercensal estimates

1996: Final postcensal estimates 1997-1998: Updated postcensal estimates

Revised.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 1999.

As of 1971, population estimates were adjusted to reflect new methods of calculation.

<sup>3</sup> Includes Nunavut.

# Juditi h

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## **IMPAIRED DRIVING IN CANADA - 1998**

Julie Sauvé

## HIGHLIGHTS

- In 1998, 70,587 persons were charged with impaired driving in Canada. The rate of impaired driving (295 per 100,000 persons 16 years of age and over) fell 4% in 1998, the 15<sup>th</sup> consecutive annual decrease. Since the rate peaked in 1981, there has been a 65% decline in persons charged with impaired driving.
- Some of this decrease may be due to the increased use of roadside suspensions by police, rather than laying a charge against a driver with a blood-alcohol concentration just over the legal limit. This increased use of roadside suspensions by the police is primarily due to the amount of paperwork and time required in the processing of an impaired driving charge.
- With the exception of small increases in Nova Scotia (+1%) and Manitoba (+1%), all provinces and territories followed the national trend of a decline in impaired driving rates in 1998. Prince Edward Island had the largest decrease, down 19%. Yukon had the highest rate (1,148) and for the 10<sup>th</sup> straight year, Saskatchewan recorded the highest rate among the provinces (683). Newfoundland reported the lowest rate (218) for the 3<sup>rd</sup> year in a row.
- The most serious consequence of impaired driving is causing the death of another person. In 1998, 103 persons were charged with impaired driving causing death, the lowest number since 1989. There were also 886 persons charged with impaired driving causing bodily harm, a figure that has also been decreasing.
- The 19-24 age group was found to have the highest age-specific rate of impaired drivers. Rates gradually declined from the peak age of 20 until the early 30's where there was a second smaller peak.
- Compared to other Criminal Code offences, impaired driving has a relatively high proportion of convictions. Over three-quarters (77%) of impaired driving cases resulted in a conviction in 1997-98, compared to 62% of all Criminal Code offences. However, in recent years, there has been a gradual decline in guilty verdicts in impaired driving cases.
- Possibly in response to increased penalties for conviction, it appears as though more impaired driving cases are being contested in court, as measured by the number of appearances of the accused. In 1994-95, 19% of cases required six or more appearances before the courts. By 1997-98, this had increased to 23% of impaired driving cases. Of those cases requiring six or more appearances, two-thirds (67%) of the accused were found guilty, compared to 85% of those where only one or two appearances were necessary.

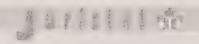


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November 1999 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

Published by authority of the Minister responsible for Statistics Canada.

@ Minister of Industry, 1999

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#### INTRODUCTION

Impaired driving is a socially unacceptable behavior that has been a criminal offence in Canada for over 75 years. Despite 15 years of declining numbers of persons charged, impaired driving remains a priority among governments and police. Statistics show that each year in Canada, 1,350 persons lose their lives due to an accident where alcohol is involved (Transport Canada, 1999).

Both federal and provincial/territorial governments continue to introduce harsher penalties for those convicted of impaired driving. Police officers see impaired driving as a serious offence, as a recent survey of officers indicated that it was ranked 5th among 15 high-profile offences 1. Impaired driving followed homicide, sexual assaults, kidnapping and robbery, and was ranked more serious than offences such as breaking and entering and assault.

The question which remains is whether measuring trends in impaired driving through the number of persons "charged" by police is an accurate tool. Has there been a real decline in the number of drunk drivers on the road or has the decline in charges been a result of other factors such as decreased police enforcement or the increased use of roadside license suspensions? In this report, data on police enforcement practices will be examined as well as data on fatally-injured drivers, trends in alcohol consumption, and changes in the demographic composition of the Canadian population. Another issue addressed in this report is whether a greater proportion of accused persons are clogging the courts by contesting impaired driving charges.

Police-reported data are presented at the national, provincial and census metropolitan area (CMA) level. Data on characteristics of impaired driving incidents and accused persons are examined from a sample of police departments.

## IMPAIRED DRIVING LEGISLATION IN CANADA

As noted in the introduction, impaired driving legislation has been undergoing significant change. In June 1999, Parliament passed Bill C-82, which amended, in July, the current statute by increasing the penalties that had been in effect since 1985. These changes are summarized in Table 1.

Impaired driving is not just a federal issue. Provincial governments have also taken action in the fight against impaired driving and have established their own legislation as a complement to the *Criminal Code*.

The provinces are responsible for road safety regulations and control (highway traffic acts, issuing and controlling driver's licences and motor vehicle registrations, etc.). Over the past few years, a number of provincial jurisdictions have introduced or amended acts and regulations to reduce the incidence of impaired driving. These measures have included lowering the legal alcohol limit for new drivers, particularly young drivers. The following sections describe a few provisions of new provincial acts and regulations in force in 1999 that extend legal control of impaired driving.

# Drivers with a blood alcohol concentration below the legal limit can have their licences suspended for a specified period

Some provinces have given police the power to suspend the licence of a driver who is slightly below the legal limit of 80 mg of alcohol per 100 ml of blood. Licence suspension can be imposed for a blood alcohol concentration (BAC) as low as 40 mg (e.g. Saskatchewan - with the rest of the provinces being 50 mg), depending on the province or territory. The length of the suspension ranges from 24 hours in Newfoundland, Prince Edward Island, New Brunswick, Nova Scotia, British Columbia, Saskatchewan and Manitoba to 12 hours in Ontario.

Jonah et al.

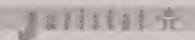


Table 1

## Criminal Code Penalties for Impaired Driving Offences, 1999

|                                      | OFFENCE      |                       | PENALTIES                            |   |   |  |
|--------------------------------------|--------------|-----------------------|--------------------------------------|---|---|--|
|                                      |              |                       | Prohibition from Driving             | Fine                                    | Jail  |  |
| Driving While Impaired               | 1st offence  | Summary<br>Indictment | 12* to 36 months<br>12* to 36 months | \$ 600 to \$ 2,000<br>\$ 600 no maximum | 0 to 6 months<br>0 to 60 months             |  |
| BAC Over 0.08                        | 2nd Offence  | Summary<br>Indictment | 24 to 60 months<br>24 to 60 months   | up to \$ 2,000<br>no maximum            | 14 days to 6 months<br>14 days to 60 months |  |
| (Refusal to Provide Sample)          | 3rd+ Offence | Summary<br>Indictment | 36 months to<br>lifetime ban         | up to \$ 2,000<br>no maximum            | 90 days to 6 months<br>90 days to 60 months |  |
| Impaired Driving Causing Bodily Harm |              | Indictiment           | up to 10 years                       | no maximum                              | up to 10 years                              |  |
| Impaired Driving Causing Death       |              | Indictment            | up to 10 years                       | no maximum                              | up to 14 years                              |  |

<sup>\*</sup> The 12-month prohibition for a first-time offender under the Criminal Code of Canada is reductible to a minimum 3-month prohibition with the use of an ignition interlock where the program is available. The Criminal Code prohibition period is distinct from any suspension period issued by the province or territory.

Source: Smashed - The Magazine on Drinking and Driving, Transport Canada, 1999.

# New driver licensing programs are more restrictive regarding alcohol use

In the past few years, a number of provinces have introduced or significantly altered novice driver licensing programs to reduce the level of tolerance for drinking and driving. Such programs are currently in effect in Newfoundland, Prince Edward Island, New Brunswick, Nova Scotia, Quebec, Ontario and Saskatchewan. They apply to all new drivers, except in Quebec, where the program only covers drivers under 25 years of age. In most provinces, there is zero tolerance for drinking by novice drivers during the two-year probationary or graduated licence period. In all cases, drivers caught breaking the law are given licence suspensions, which are graduated depending on the frequency of offences. In Prince Edward Island, zero tolerance applies only to minors (under age 18); the legal limit for all other new drivers is 40 mg of alcohol per 100 ml of blood.

#### Licence suspension periods are set by law

Section 259 of the *Criminal Code*, since June 1999 (table 1), prescribes a minimum one-year driving prohibition for a first impaired driving offence. The minimum increases to two years for a second offence and to three years for subsequent offences. The maximum suspension is a lifetime ban.

Most provinces have set their own minimum licence suspension periods: one year for a first offence in all provinces except New Brunswick (six months); one to three years for a second offence in some provinces; and between five years and indefinite suspension for subsequent offences. Ontario has gone so far as to add suspension for life for a fourth offence.

## Administrative licence suspension programs

A number of provinces have instituted automatic administrative licence suspension programs for drivers who have a positive breathalyser reading. Under these programs, provinces can suspend the licences of drivers from the date on which they test positive (over 80 mg per 100 ml of blood). The length of the suspension is 90 days in all provinces that have introduced the program, with the exception of Quebec, where it is 15 days for a first offence. The intention is to prevent drivers who test positive from driving prior to their court appearance and the disposition of their case. Judges are not required to take the length of the suspension into consideration in their sentence.

In addition to these administrative and legal sanctions, more and more provinces are forcing offenders to pay all costs relating to their arrest and rehabilitation. Offenders may also be required to pay any towing and vehicle storage expenses, as well as the cost of the rehabilitation program, which is often mandatory. Finally, in addition to a criminal court judgement and a criminal record, drivers convicted of impaired operation of a vehicle face increased licensing costs and insurance premiums.

#### Vehicles can be seized and impounded

In a number of jurisdictions, police have been given the power, under provincial legislation, to seize vehicles operated by unlicensed drivers or drivers whose licence has been suspended and impound them for a specified period. The aim is to deter people from driving while their licence is suspended and to get vehicle owners to take some responsibility for ensuring that their vehicles are operated by drivers with valid licences. Provinces that introduced this measure have also established a review process for special cases.

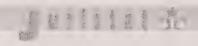


Table 2

### Comparison of Selected Impaired Driving Provincial Legislation - As in force in November 1999

| The state of the s | Newfoundland                                | Prince Edward<br>Island                       | Nova<br>Scotia   | New<br>Brunswick                               | Quebec  | Ontario   |
|--|---|---|--|--|---|---|
| Transporting an open alcoholic beverage container within a motor vehicle   | Yes   | Yes   | Yes  | Yes  | Consumption is prohibited                     | Yes   |
| Impaired driving prohibited for other vehicles than specified in Criminal Code   | No  | Bicycle and horse                             | No   | No   | Bicycle                                       | No  |
| Driving prohibition for BAC<br>below Criminal Code limit   | 24 hours for<br>50 to 80 mg                 | 24 hours for<br>50 to 80 mg                   | Yes <sup>3</sup>   | 24 hours for<br>50 to 80 mg                    | No  | 12 hours for<br>50 to 80 mg   |
| Graduated driver's licence<br>holders program <sup>1</sup>   | Term: 2 years<br>Tolerance: 0 mg            | Term: 2 years<br>Tolerance: 0 mg <sup>2</sup> | Term: 2 years<br>Tolerance: 0 mg   | Term: 2 years<br>Tolerance: 0 mg               | Term: 2 years <sup>5</sup><br>Tolerance: 0 mg | Term: 2 years<br>Tolerance: 0 mg                                      |
| Minimum fixed suspension<br>depending on frequency<br>of offence   | 1st: 1 year<br>2nd: 2 years<br>3rd: 3 years | 1st: 1 year<br>2nd: 2 years<br>3rd: 3 years   | 1st: 1 year<br>2nd: 3 years<br>3rd and 4th:<br>Indefinite <sup>3 and 4</sup> | 1st: 6 months<br>2nd: 1 year<br>3rd: 1 year    | 1st: 1 year<br>2nd: 2 years<br>3rd: 3 years   | 1st: 1 year<br>2nd: 3 years<br>3rd: lifetime ban<br>4th: lifetime ban |
| Administrative licence suspension  | No  | 90 days                                       | 90 days  | No   | 1st: 15 days<br>2nd and more:<br>30 days      | 90 days   |
| Seizure and Impoundment<br>Measure   | No  | Yes   | Yes <sup>3</sup>   | No   | Yes   | Yes   |
|  | Manitoba                                    | Saskatchewan                                  | Alberta  | British<br>Columbia                            | N.W.T.  | Yukon   |
| Transporting an open alcoholic<br>beverage container within a<br>motor vehicle   | Yes   | Yes   | Yes  | Yes  | Yes   | Yes   |
| impaired driving prohibited for other vehicles than specified in Criminal Code   | Bicycle and<br>horse and<br>other animals   | No  | No   | No   | No  | No  |
| Oriving prohibition for BAC pelow Criminal Code limit  | 24 hours for<br>50 to 80 mg <sup>5</sup>    | 24 hours for<br>40 to 80 mg                   | 24 hours for<br>any suspect<br>levels < 80 mg <sup>7</sup>                   | 24 hours for<br>50 to 80 mg                    | 4 to 24 hours<br>50 to 80 mg <sup>10</sup>    | 24 hours <sup>7</sup>   |
| Graduated driver's licence nolders program <sup>1</sup>  | No  | Term: 2 years<br>Tolerance: 40 mg             | No   | Term: 2 years<br>Tolerance: 0 mg               | No  | Yes <sup>9</sup>  |
| Minimum fixed suspension<br>dependingon frequency<br>of offence  | 1st: 1 year<br>2nd and more:<br>5 years     | 1st: 1 year<br>2nd: 3 years<br>3rd: 5 years   | 1st: 1 year<br>2nd: 3 years<br>3rd: 5 years                                  | 1st: 1 year<br>2nd: 3 years<br>3rd: Indefinite | No  | 1st: 1 year<br>2nd: 3 years<br>3rd: Indefinite                        |
| Administrative licence suspension  | 3 months                                    | 90 days                                       | No   | 90 days <sup>8</sup>                           | No  | 90 days   |
| Seizure and Impoundment<br>Measure   | Yes   | Yes   | Yes  | Yes  | Yes <sup>11</sup>                             | Yes   |

Only program characteristics related to impaired driving are shown.

Zero tolerance is applicable to new drivers under 18. 40 mg for all other new drivers.

Awaiting proclamation.

For the third offence, the drivers' license is suspended for 10 years after which the case can be reviewed. For the fourth offence, the license is suspended permanently if the offence occurred within a 10 year-window.

Program is applicable solely to new drivers under 25.

Reductible to 10 years if conditions met.

Any level which, in the view of police, may impair driving ability.

Only program characteristics related to driving with BAS > 80 mg and refusing to give a breath sample are shown.

Should be in effect April 1st, 2000.

<sup>10</sup> If the driver is suspected of impaired driving, he or she may have their license suspended for a period of 4 to 24 hours. The driver, however, may ask for a breathalyser test in order to prove that their driving is not impaired bt alcohol consumption. If it is determined that their BAC is greater than 60 mg, their license will be suspended. If, however, their BAC is less than 60 mg, there is no licence suspensions.

11 In cases where there is an accident.

# IN RESPONSE TO IMPAIRED DRIVING LAWS

In 1998, impaired driving accounted for 62% of the 140,000 *Criminal Code* traffic offences reported by police. While impaired driving offences made up only 3% of all *Criminal Code* offences, the 70,500 persons charged with impaired driving constituted 13% of all persons charged.

Impaired driving charges arise from both responsive and preventive action by police. According to a Transport Canada survey <sup>2</sup> of a sample of 1,401 police officers across Canada, erratic driving was the cause in nearly half (48%) of the cases of responsive action by police against an intoxicated driver. One fifth (21%) of the cases were due to traffic accidents, and 15% resulted from complaints by members of the public.

#### Impaired driving declined for 15th straight year

The impaired driving rate (number of persons charged with impaired driving per 100,000 people aged 16 and over, the population of potential drivers) fell 4% between 1997 and 1998, posting its 15<sup>th</sup> consecutive annual decrease (see Table 4). After peaking at 859 in 1979 and 1981, the rate has declined to 295 in 1998, a drop of about 65%.

| to police officers  Driving Indicators % |    |  |
|--|----|--|
| briving indicators                       | /  |  |
| Vehicle weaving                          | 9  |  |
| Straddling two lanes                     | 9  |  |
| Driving too slow                         | 9  |  |
| Erratic Speed                            | 9  |  |
| Running over curb                        | 9  |  |
| Failure to obey traffic signs            | 8  |  |
| No headlights on at night                | 8  |  |
| Running red light                        | 8  |  |
| Speeding                                 | 7: |  |
| Window open in cold weather              | 5  |  |
| Non-use of seat-belt                     | 1- |  |

Impaired driving is a criminal offence under the *Criminal Code* of Canada. Five different charges are involved: impaired driving

Table 4

## Number and rate of persons charged with impaired driving, Canada, 1977-1998

| Year              | Persons<br>Charged | Population<br>16 and older | Rate* per 100,000 population 16 and older |
|-------------------|--------------------|----------------------------|---|
|                   |                    |                            |   |
| 1977              | 148,824            | 17,384,050                 | 856                                       |
| 1978              | 149,738            | 17,727,808                 | 845                                       |
| 1979              | 155,260            | 18,081,133                 | 859                                       |
| 1980              | 157,492            | 18,479,016                 | 852                                       |
| 1981              | 162,048            | 18,858,323                 | 859                                       |
| 1982              | 143,424            | 19,191,258                 | 747                                       |
| 1983              | 148,040            | 19,457,216                 | 761                                       |
| 1984              | 142,100            | 19,705,262                 | 721                                       |
| 1985              | 131,726            | 19,946,761                 | 660                                       |
| 1986              | 128,797            | 20,220,126                 | 637                                       |
| 1987              | 128,030            | 20,551,418                 | 623                                       |
| 1988              | 121,178            | 20,854,383                 | 581                                       |
| 1989              | 118,722            | 21,262,389                 | 558                                       |
| 1990              | 112,161            | 21,587,112                 | 520                                       |
| 1991              | 111,917            | 21,858,478                 | 512                                       |
| 1992              | 105,805            | 22,126,276                 | 478                                       |
| 1993              | 92,531             | 22,396,082                 | 413                                       |
| 1994              | 88,582             | 22,683,555                 | 391                                       |
| 1995              | 84,085             | 22,975,844                 | 366                                       |
| 1996              | 79,347             | 23,273,706                 | 341                                       |
| 1997 <sup>r</sup> | 72,307             | 23,600,777                 | 306                                       |
| 1998              | 70,587             | 23,906,438                 | 295                                       |

<sup>\*</sup> Rates are calculated on the basis of 100,000 population 16 years and older. The population estimates come from the Annual Demographic Statistics, 1998 report, produced by Statistics Canada, Demography Division. Population as of July 1st: Revised intercensal estimates for 1977 to 1990, final intercensal estimates for 1991 to 1995, final postcensal estimates for 1996, updated postcensal estimates for 1997 and 1998.

Source: Uniform Crime Reporting Survey, CCJS.

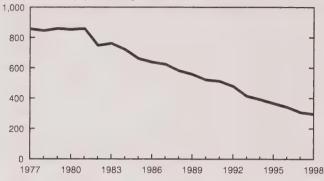
<sup>2</sup> Idem.

revised.

Figure 1

## Persons Charged with Impaired Driving, Canada, 1977-1998

Rate per 100,000 population 16 years and older



Source: Uniform Crime Reporting Survey, CCJS.

causing death (s. 255 (3)), impaired driving causing bodily harm (s. 255 (2)), driving a vehicle with a BAC in excess of 80 mg (80 milligrams of alcohol per 100 millilitres of blood) (s. 253 (b)), driving while the person's ability is impaired by alcohol or a drug (s.253 (a)) and refusal to provide a breath sample or a blood sample (s. 254 (5)).

Of the 70,587 persons charged in 1998 under sections 253, 254 and 255 of the *Criminal Code*, 93% were charged with driving a vehicle while their BAC was greater than 80 mg. This percentage has remained constant over the past 10 years. A small percentage were charged with refusing to provide a breath sample (5%). The remaining 2% were charged with impaired driving causing death, impaired driving causing bodily harm, or refusing to provide a blood sample.

While impaired driving causing death accounts for only a small proportion of the charges, it is clearly the most serious offence. In 1998, 103 people were charged with that offence in Canada<sup>3</sup>. All but one were caught while driving an automobile. The remaining person was charged with impaired driving of a boat, a vessel or an aircraft. This is the smallest number of persons charged with the offence in the last 10 years, and it constitutes a 44% decline since 1989. A further 886 persons were charged with impaired driving causing bodily harm, a 28% decrease since 1989. Of this number, 12 were charged with impaired driving of a boat, vessel or aircraft.

### Nine in ten impaired drivers are men

Although males continue to account for the large majority (89%) of persons charged with impaired driving, the proportion of females has been increasing over the last decade. In 1989, the ratio was 10 males charged for each female; by 1998, it had fallen to 8 to 1. According to Transport Canada (1999), physiological differences make women more sensitive than men to the effects of alcohol.

### Impaired driving charges down in most provinces

In 1998, the impaired driving rates in all provinces and territories except Nova Scotia and Manitoba echoed the national downward trend. Nova Scotia and Manitoba's rate were up slightly (1%). Prince Edward Island had the largest decrease (19%).

Yukon had the highest rate of persons charged with impaired driving (1,148) and, for the tenth consecutive year, Saskatchewan posted the highest impaired driving rate among the provinces (683), despite a 7% decline from 1997. Alberta had the second highest rate for the second straight year (439). For the third year in a row, Newfoundland recorded the lowest rate (218).

Table 5

## Persons Charged with Offences Related to Impaired Driving, by Type of Offence and Province/Territory, 1998

| Province                                  | Impaired operation of motor vehicle |                           |                  |        |               |                           | operation of<br>vehicle |       | Fail or refuse to provide<br>breath or blood sample |       |       |                       |
|---|-------------------------------------|---------------------------|------------------|--------|---------------|---------------------------|-------------------------|-------|---|-------|-------|-----------------------|
|   | Over<br>80 mg                       | Causing<br>bodily<br>harm | Causing<br>death | Total  | Over<br>80 mg | Causing<br>bodily<br>harm | Causing<br>death        | Total | Breath  | Blood | Total | Total persons charged |
| Newfoundland                              | 871                                 | 7                         | 3                | 881    | 2             | 1                         |                         | 3     | 59  | 4     | 63    | 947                   |
| Prince Edward Island                      | 315                                 | -                         | -                | 315    | 3             | -                         | -                       | 3     | 79  | _     | 79    | 397                   |
| Nova Scotia                               | 1,847                               | 13                        | 2                | 1,862  | 39            | 3                         |                         | 42    | 363   | 17    | 380   | 2,284                 |
| New Brunswick                             | 1,932                               | 14                        | 6                | 1,952  | 2             | 1                         | -                       | 3     | 322   | 16    | 338   | 2,293                 |
| Québec                                    | 16,371                              | 326                       | 26               | 16,723 | 23            |                           | -                       | 23    | 578   | 17    | 595   | 17,341                |
| Ontario                                   | 18,433                              | 172                       | 14               | 18,619 | 34            | 1                         |                         | 35    | 1,460   | 9     | 1.469 | 20,123                |
| Manitoba                                  | 3,030                               | 55                        | 8                | 3,093  | 9             | 2                         |                         | 11    | 305   | 8     | 313   | 3,417                 |
| Saskatchewan                              | 5,069                               | 80                        | 9                | 5,158  | 6             | 1                         |                         | 7     | 163   | 5     | 168   | 5,333                 |
| Alberta                                   | 9,425                               | 99                        | 12               | 9,536  | 5             | 2                         |                         | 7     | 251   | 13    | 264   | 9,807                 |
| British Columbia                          | 7,724                               | 95                        | 22               | 7,841  | 16            | 1                         | 1                       | 18    | 153   | 8     | 161   | 8,020                 |
| Yukon                                     | 251                                 | 5                         | -                | 256    | 2             | -                         | -                       | 2     | 17  | 1     | 18    | 276                   |
| Northwest Territories (including Nunavut) | 329                                 | 8                         | -                | 337    | 2             | •                         | •                       | 2     | 9   | 1     | 10    | 349                   |
| Canada                                    | 65,597                              | 874                       | 102              | 66,573 | 143           | 12                        | 1                       | 156   | 3,759   | 99    | 3,858 | 70,587                |

<sup>-</sup> Nii

Source: Uniform Crime Reporting Survey, CCJS.

<sup>&</sup>lt;sup>3</sup> The 103 could be under-counted as the Crown could prosecute these as criminal negligence causing death.

Table 6

## Number and Rate<sup>1</sup> of Persons Charged with Impaired Driving, by Province/Territory, 1994-1998

|  |                            | 1994                  | 1995                  | 1996                  | 1997                   | 1998                  | % change<br>1994-1998 <sup>2</sup> | % change<br>1997-1998 |
|--|----------------------------|-----------------------|-----------------------|-----------------------|------------------------|-----------------------|------------------------------------|-----------------------|
| Newfoundland                                 | Number<br>Rate             | 1,754<br>393          | 1,333<br>300          | 1,191<br>270          | 962<br>219             | 947<br>218            | -44.6                              | -0.5                  |
| Prince Edward Island                         | Number<br>Rate             | 509<br>497            | 554<br>535            | 542<br>517            | 489<br>462             | 397<br>375            | -24.6                              | -18.9                 |
| Nova Scotia                                  | Number<br>Rate             | 3,279<br>450          | 2,816<br>385          | 2,444<br>332          | 2,244<br>302           | 2,284<br>307          | -31.7                              | 1.5                   |
| New Brunswick                                | Number<br>Rate             | 3,165<br>536          | 2,721<br>458          | 2,638<br>442          | 2,487<br>414           | 2,293<br>381          | -29.0                              | -8.1                  |
| Québec                                       | Number<br>Rate             | 20,734<br>364         | 21,324<br>371         | 19,518<br>337         | 17,637<br>302          | 17,341<br>295         | -18.9                              | -2.4                  |
| Ontario                                      | Number<br>Rate             | 26,240<br>309         | 25,995<br>303         | 24,688<br>284         | 20,355<br>230          | 20,123<br>224         | -27.5                              | -2.6                  |
| Manitoba                                     | Number<br>Rate             | 3,552<br>412          | 3,454<br>398          | 3,082<br>354          | 3,384<br>387           | 3,417<br>389          | -5.6                               | 0.6                   |
| Saskatchewan                                 | Number<br>Rate             | 5,523<br>729          | 5,675<br>743          | 5,552<br>720          | 5,682<br>732           | 5,333<br>683          | -6.3                               | -6.7                  |
| Alberta                                      | Number<br>Rate             | 12,921<br>633         | 10,660<br>514         | 10,335<br>489         | 10,377<br>479          | 9,807<br>439          | -30.7                              | -8.4                  |
| British Columbia                             | Number<br>Rate             | 10,087<br>347         | 8,916<br>298          | 8,767<br>285          | 8,021<br>255           | 8,020<br>251          | -27.8                              | -1.6                  |
| Yukon  | Number<br>Rate             | 495<br>2,216          | 326<br>1,416          | 253<br>1,056          | 290<br>1,193           | 276<br>1,148          | -48.2                              | -3.8                  |
| Northwest Territories<br>(including Nunavut) | Number<br>Rate             | 323<br>749            | 311<br>705            | 337<br>751            | 379<br>840             | 349<br>776            | 3.6                                | -7.6                  |
| Canada                                       | Number<br>Rate<br>% change | 88,582<br>391<br>-5.5 | 84,085<br>366<br>-6.3 | 79,347<br>341<br>-6.8 | 72,307<br>306<br>-10.1 | 70,587<br>295<br>-3.6 | -24.4                              | -3.6                  |

Rates are calculated on the basis of 100,000 persons 16 years and older. Population estimates come from the Annual Demographic Statistics, 1998 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: final intercensal estimates for 1994 and 1995, estimates for 1996, updated postcensal estimates for 1997 and 1998.

Source: Uniform Crime Reporting Survey, CCJS.

## Edmonton has highest rate among the nine largest CMAs

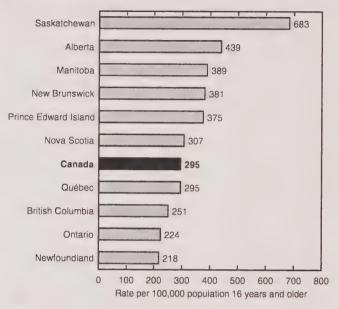
Of Canada's nine largest CMAs, Edmonton has posted the highest impaired driving rate for the last three years, despite a 13% decrease since 1996. Edmonton's rate in 1998 was 374 charges per 100,000 population. The Quebec City and

Calgary CMAs ranked second and third, at 297 and 264 respectively. Winnipeg was the only major CMA to have an increase since 1996 (20%). The recent increases in Winnipeg are a result of additional public and private funding specifically ear-marked for impaired driving enforcement. Toronto continued to report the lowest rate among all the major CMAs (126).

Percent changes are based on non-rounded rates.

Figure 2

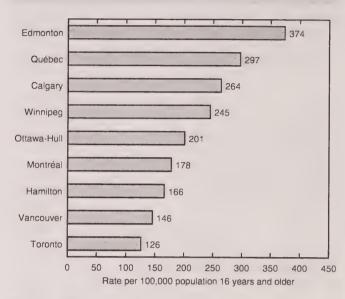
## Rate of Persons Charged with Impaired Driving by Province, 1998



Source: Uniform Crime Reporting Survey, CCJS.

Figure 3

### Persons Charged with Impaired Driving by Nine Largest Metropolitan Areas, 1998



Source: Uniform Crime Reporting Survey, CCJS.

Table 7

## Rate¹ of Persons Charged with Impaired Driving, by Census Metropolitan Area (CMA), 1996-1998

|                                     | 1996 | 1997 | 1998 | % change 1997-1998 <sup>2</sup> |
|-------------------------------------|------|------|------|---------------------------------|
| Population 500,000 and over         |      |      |      |                                 |
| Calgary                             | 328  | 312  | 264  | -19.4                           |
| Edmonton                            | 429  | 407  | 374  | -12.8                           |
| Hamilton                            | 179  | 166  | 166  | -7.1                            |
| Montréal                            | 198  | 172  | 178  | -9.9                            |
| Ottawa-Hull                         | 207  | 228  | 201  | -3.1                            |
| Québec                              | 350  | 313  | 297  | -15.1                           |
| Toronto                             | 162  | 106  | 126  | -22.2                           |
| Vancouver                           | 180  | 152  | 146  | -18.6                           |
| Winnipeg                            | 205  | 225  | 245  | 19.7                            |
| Population less than 500,000        |      |      |      |                                 |
| Chicoutimi-Jonquière <sup>3</sup>   | 348  | 306  | 298  | -14.5                           |
| Halifax                             | 289  | 239  | 242  | -14.5<br>-16.0                  |
| Kitchener <sup>4</sup>              | 345  | 280  | 293  | -15.1                           |
| London                              | 391  | 260  | 235  | -39.8                           |
| Regina                              | 363  | 410  | 440  | 21.3                            |
| St. Catharines-Niagara <sup>4</sup> | 229  | 230  | 233  | 1.5                             |
| St. John's                          | 316  | 255  | 245  | -22.4                           |
| Saint John                          | 273  | 350  | 354  | 29.7                            |
| Saskatoon                           | 460  | 399  | 429  | -6.6                            |
| Sherbrooke                          | 384  | 325  | 247  | -35.9                           |
| Sudbury                             | 227  | 210  | 215  |                                 |
| Thunder Bay                         | 555  | 438  | 428  | -5.3                            |
| Trois-Rivières                      | 423  | 438  | 401  | -22.8                           |
| Victoria                            | 328  | 268  | 253  | -5.2                            |
| Windsor                             | 440  | 301  |      | -22.7                           |
| VVIII USOI                          | 440  | 301  | 287  | -34.7                           |

Rate are calculated ont the basis of 100,000 persons 16 years and older. Population estimates come from the Annual Demographic Statistics, 1998 report produced by Demography Division, Statistics Canada, Population as of July 1st: final postcensal estimates for 1996, updated postcensal estimates for 1997 and 1998. The intercensal estimates match the jurisdictional boundaries of the police department. The Oshawa Census Metropolitan Area (CMA) is excluded from this table due to methological concerns with the matching of the police agency jurisdictional boundaries and the CMA boundaries.

Percent changes are based on non-rounded rates.

3 CMA population has been adjusted to follow polie force boundaries for Chicoutimi-Jonquière for 1998 only.

Source: Uniform Crime Reporting Survey, CCJS.

<sup>4</sup> CMA populations for St. Catharines-Niagara and Kitchener have been adjusted to follow police forces boundaries for 1996 to 1998.

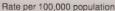
## FACTORS EXPLAINING IMPAIRED DRIVING

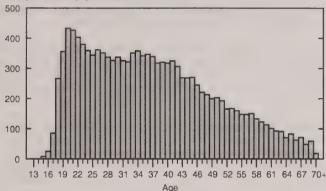
## **Demographic factors**

## More people aged 19-24 are charged

Figure 4

# Age-specific Rates of Persons Accused of Impaired Driving in Canada, Sample of 169 Police Agencies, 1998





Source: Uniform Crime Reporting Survey, CCJS.

#### Canadians' drinking habits

In September 1999, Health Canada, in collaboration with Statistics Canada and the Canadian Institute on Health Information, published the Statistical Report on the Health of the Canadian Population which presented the most recent results of the 1996-97 National Health Population Survey conducted by the Health Statistics Division at Statistics Canada (see the methodology section). This survey, carried out among Canadians aged 12 years and older, collects information on a number of health-related issues including alcohol consumption. Between 1994-95 (the first cycle of the survey) and 1996-97 (the second cycle), it seems that alcohol consumption among Canadians remained stable. While in 1994-95, 55% of Canadians were regular drinkers (at least one glass per month), the same was true of 53% of Canadians in 1996-97. For almost half of Canadians (43%), their drinking was limited to one to six glasses per week. Twelve percent (12%) of respondents in 1996-97 stated that have never consumed alcohol.

Those most likely to be regular drinkers were male (63% of men were regular drinkers versus 43% of women). A higher proportion of regular drinkers were also found among young people aged 20 to 24 years (68%). More than one-third (36%) of this age group were regular excessive drinkers (drinking 5 glasses or more during one occasion, and doing so 12 times or more during the last year), followed by 34% of persons aged 18 to 19 years.

In previous reports, data showed that people in their mid-thirties accounted for most of the charges of impaired driving. In this report, for the first time, age-specific rates 4 have been calculated for crime data from the Revised Uniform Crime Reporting (UCR) Survey (see Methodology). These data show that now, the 19-24 age group has the highest rate of impaired driving (see figure 4). Specifically, 20 year-olds have the highest single-age impaired driving rate, at 433 per 100,000 persons 20 years of age. Their higher rates may be the result of proactive measures taken by police through check-stop programs taking place mostly at night, as this age group tends to frequent bars more so than older age groups. According to the National Population Health Survey (NPHS), adolescents aged 18-19 are more likely to indicate that they had taken the wheel while under the influence of alcohol. This tendency diminishes with age. The 33-37 age group now shows the second highest impaired driving rate.

People under 18 made up just under 1% of those charged with driving while under the influence of alcohol. The low percentage may be due to the fact that many people under 18 do not have their driver's licence. Furthermore, under some provincial legislation, persons with probationary licenses are prohibited from driving without supervision, and novice drivers are forbidden from having any trace of alcohol in their blood. Moreover, in all Canadian provinces, people under 18 or 19 are not permitted to buy alcohol or even to enter establishments where alcoholic beverages are sold.

Population aging may have an effect on the trend in various crimes <sup>5</sup> including impaired driving. There are fewer young people in our society, and more people over the age of 55. Young people are more likely to drink and drive under the influence of alcohol (see text box on this page). Thus, it may be that because of population aging and the decrease in potential drinkers, fewer people are in a position to be caught driving while impaired. While the aging of the population is a factor, it cannot be concluded that this has caused the entire decline in impaired driving.

#### **Social Factors**

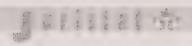
#### Changes in public attitudes

In addition to changing demographics, there are other variables that could influence the trend in impaired driving. The public's awareness of the seriousness of impaired driving is due, in part, to the numerous prevention and educational programs on the consequences caused by impaired driving.

In response to increased awareness of the risks of driving while impaired, the attitudes of Canadians have changed. The use of "designated drivers" has become commonplace to ensure that there is someone sober to drive everyone else home after a "night on-the-town". According to NPHS, in 1996-97, 60% of Canadians who engage in social drinking indicate that they take measures to assign a designated driver. Operation Red Nose, which is in place in certain cities, is a campaign usually effective during the month of December where volunteers are called to take persons home who have had too much to drink.

<sup>&</sup>lt;sup>4</sup> Age-specific crime rates were computed using the combined age distribution for all census subdivisions that include incident-based UCR Survey respondents.

<sup>&</sup>lt;sup>5</sup> Tremblay, S. (1999).



#### Preventing impaired driving

RIDE (Reduce Impaired Driving Everywhere) - Ontario Under this year-round campaign, police in Ontario conduct spot checks in which they stop vehicles and lay charges against intoxicated drivers.

P.A.S. (Programme d'Application Sélective) - Quebec Quebec's P.A.S. is a promotional campaign combined with roadside checks. Launched in 1998, the program is intended to increase drivers' perception of the risk of being stopped. It involves conducting more frequent roadside checks across the province at specific times of the year, along with a media campaign to increase public awareness.

#### Starter-lock devices

In Alberta and Quebec, drivers whose licences have been suspended by the province must have a starter lock installed in order to obtain restricted driving privileges. A starter lock is a device that can measure a driver's BAC with a single breath sample. It prevents the driver from starting the vehicle if the BAC is above a preset level (Société de l'assurance automobile du Québec).

## OTHER MEASURES OF IMPAIRED DRIVING

### Trends in police-enforcement measures

For this report, major police services in Canada were asked to provide information on trends in enforcement measures related to impaired driving, such as the number of roadside suspensions, check-stop programs, vehicles stopped and drivers tested. Of all the information provided, the data on roadside suspensions were the most frequent and comparable. As mentioned earlier, roadside suspensions are common practices in all provinces except Quebec (Nova Scotia is currently incorporating this measure into their provincial legislation).

An examination of these data shows that in most police services, the number of roadside suspensions appears to have increased in recent years. This finding may be related to the findings of a recent Transport Canada survey which found that about 30% of police officers said that drivers with BAC's over the legal limit are "sometimes" (22%) or "frequently" (8%) given a stort-term suspension rather than charged for impaired driving under the *Criminal Code*. Three main reasons were cited for this tendency: (i) it takes too long to process impaired driving charges laid under the *Criminal Code*; (ii) there are too few staff to process such charges; and, (iii) a license suspension gets the driver off the road immediately.

In addition, three quarters of the police officers who responded said they charge suspects with impared driving only when their BAC is above 100 mg. They believed that the charges in such cases were less likely to be challenged in court. The fact that the readings of the BAC-measuring machines used by police are often challenged as evidence in court appears to be an inhibiting factor in pursuing impaired driving charges.

The data related to trends in police enforcement of impaired drivers (e.g. number of check-stops, drivers tested) was inconclusive, as some police services showed an increase in enforcement in recent years, while just as many were reporting a decrease.

All of the above indicates that perhaps some of the recent reduction in the number of persons charged with impaired driving may be due to the increased use of roadside suspensions by police, rather than laying a charge against a driver with a blood-alcohol concentration over the legal limit. This increased use of roadside suspensions by the police is primarily due to the amount of paperwork and time required in the processing of an impaired driving charge.

## The proportion of fatally injured drivers who were impaired has fallen since 1991

For just over 10 years, the Traffic Injury Research Foundation (TIRF) has been collecting data on the number of drivers, passengers and pedestrians fatally injured in traffic accidents. The data presented in this section relate to the amount of alcohol fatally injured drivers had consumed at the time of the accident. In 1997, almost two third (61%) of the drivers tested had no

Table 8

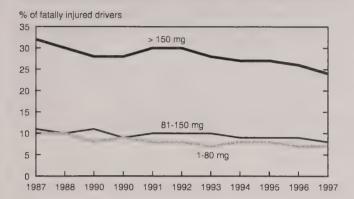
## Drivers Fatally Injured in Traffic Accidents, by Blood Alcohol Concentration, 1987 to 1997

| Year | Number of fatally-<br>injured drivers tested |       | Not legally | impaired |    | Legally impaired |         |       |    |  |  |
|------|--|-------|-------------|----------|----|------------------|---------|-------|----|--|--|
|      | Total  | 0 mg  | 1-80 mg     | Total    | %  | 81-150 mg        | >150 mg | Total | %  |  |  |
| 1987 | 1,721  | 807   | 172         | 979      | 57 | 191              | 551     | 742   | 43 |  |  |
| 1988 | 1,796  | 887   | 186         | 1.073    | 60 | 184              | 539     | 723   | 40 |  |  |
| 1989 | 1,872  | 1.002 | 143         | 1,145    | 61 | 206              | 521     | 727   | 39 |  |  |
| 1990 | 1,756  | 959   | 155         | 1.114    | 63 | 159              | 483     | 642   | 37 |  |  |
| 1991 | 1,635  | 850   | 127         | 977      | 60 | 168              | 490     | 658   | 40 |  |  |
| 1992 | 1,585  | 823   | 126         | 949      | 60 | 165              | 471     | 636   | 40 |  |  |
| 1993 | 1,677  | 928   | 115         | 1.043    | 62 | 162              | 472     | 634   | 38 |  |  |
| 1994 | 1,602  | 899   | 127         | 1,026    | 64 | 143              | 433     | 576   | 36 |  |  |
| 1995 | 1,617  | 915   | 129         | 1.044    | 65 | 143              | 430     | 573   | 35 |  |  |
| 1996 | 1,436  | 838   | 97          | 935      | 65 | 133              | 368     | 501   | 35 |  |  |
| 1997 | 1,475  | 899   | 108         | 1,007    | 68 | 122              | 346     | 468   | 32 |  |  |

Excludes operators of bicycles, snowmobiles, farm tractors and other off-highway vehicles.

Source: Mayhew, D.R., Brown, S.W. and Simpson, H.M. Alcohol Use Among Drivers ans Pedestrians Fatally Injured in Motor Vehicle Accidents: Canada, 1997, Transport Canada, 1998.

## Blood Alcohol Concentration Among Fatally Injured Drivers, Canada, 1987-1997



Source: Traffic Injury Research Foundation.

trace of alcohol in their blood. This proportion has been increasing steadily since 1991. On the other hand, almost one quarter (24%) of drivers tested had a BAC in excess of 150 mg of alcohol per 100 millilitres of blood, nearly double the limit set by the *Criminal Code*.

Figure 5 shows a general decrease since 1991 in the proportion of fatally injured drivers who had alcohol in their blood. In addition, a decrease in the proportion of drivers with a BAC higher than 150 mg at the moment of their fatal accident is noted. Drivers having a BAC that high are usually known as "hard-core" drinking drivers and are rarely affected by preventive measures to reduce impaired driving.

The problems that remain with regard to impaired driving may be due in large measure to people who abuse alcohol and continue to drive despite their drinking habits (Transport Canada, 1999). Such people are known to have difficulty changing their habits and their attitudes toward drinking and driving. A BAC of more than double the legal limit under the *Criminal Code* is one of their common characteristics. They have little awareness of how serious impaired driving is, and they continue to drive despite their excessive alcohol consumption. TIRF maintains that a small number of individuals are responsible for a large number of traffic accidents due to excessive drinking. The Foundation states that in contrast to the national trend, "hard-core" drinking drivers show no signs of reducing their drinking and driving. Arresting such drivers seems to have little deterrent effect on their behaviour (Transport Canada, 1999).

# CASES OF IMPAIRED DRIVING IN THE COURTS

The Adult Criminal Courts Survey (ACCS) collects information on cases handled by the courts. It covers the following nine jurisdictions: Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, the Yukon and the Northwest Territories (including Nunavut). In 1997-98, 15% of the cases heard in adult criminal courts involved impaired driving

charges. <sup>6</sup> Of the 411,576 cases heard in Canadian criminal courts, 59,982 <sup>7</sup> were related to driving under the influence of alcohol. This is a 3% decrease since 1996-97 and a 10% drop over the past four years. Of the 68,384 <sup>8</sup> traffic offence cases handled by the courts, 88% involved impaired driving charges.

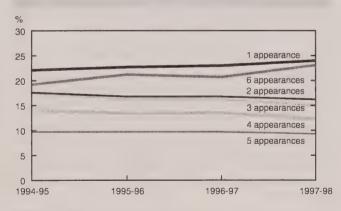
Compared to other *Criminal Code* offences, impaired driving has a relatively high proportion of convictions. Over three-quarters (77%) of impaired driving cases resulted in a conviction in 1997-98, compared to 62% of all *Criminal Code* offences. However, in recent years, there has been a gradual decline in guilty verdicts in impaired driving cases. Acquittals in impaired driving cases rose 16% between 1994-95 and 1997-98.

Possibly in response to increased penalties for conviction, it seems that more persons charged with impaired driving are pleading not guilty according to the results from Transport Canada's report. These pleas generally involve the hiring of lawyers who are experts in impaired driving, so as to obtain acquittals. According to data from ACCS, court cases are becoming more complex, at the same time as penalties are becoming more severe. Since the beginning of the collection of data from ACCS, the number of impaired driving court cases requiring six or more appearances by the accused person has increased. While in 1994-95 19% (12,775) of cases required six or more appearances before courts, that proportion rose to 23% (13,911) of cases in 1997-98.

Comparing the number of court cases requiring one or two appearances with cases requiring 6 appearances or more, differences are noticeable in terms of outcomes. In cases where only

Figure 6

## Proportion of Impaired Driving Court Cases by Number of Appearances, 1994-95 to 1997-98

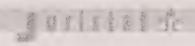


Source: Adult Criminal Court Survey, CCJS.

<sup>6</sup> See "Adult Criminal Courts Statistics, 1997-98", by C. Brookbank and B. Kingsley, Juristat, No. 85-002, Vol.18, No. 14.

<sup>7</sup> Some of the figures given here may differ slightly from the data presented in the Juristat article "Adult Criminal Courts Statistics, 1997-98", which include data for sections 256 and 257 of the Criminal Code. For the sake of comparability with UCR data, the present article covers only sections 253, 254 and 255.

B This figure includes all Criminal Code traffic offences and impaired driving offences.



#### Impaired driving in the Criminal Code, 1998

#### Operation while impaired

Section 253 defines the general offence of impaired driving:

Everyone commits an offence who operates a motor vehicle or vessel or operates or assists in the operation of an aircraft or of railway equipment or has the care or control of a motor vehicle, vessel, aircraft or railway equipment, whether it is in motion or not,

(a) while the person's ability to operate the vehicle, vessel, aircraft or railway equipment is impaired by alcohol or a drug; or

(b) having consumed alcohol in such a quantity that the concentration in the person's blood exceeds eighty milligrams of alcohol in one hundred millilitres of blood.

Subsection 254 (5) concerns the refusal, without reasonable excuse, to comply with an order given by a peace officer such as the refusal to provide a breath sample.

#### **Penalties**

Subsection 255 (1) provides for the following minimum penalties for offences under sections 253 and 254:

(i) for a first offence, to a fine of not less than three hundred dollars.

(ii) for a second offence, to imprisonment for not less than fourteen days, and

(iii) for each subsequent offence, to imprisonment for not less than ninety days;

and maximum penalties of:

(a) where the offence is prosecuted by indictment, to imprisonment for a term not exceeding five years; and

(b) where the offence is punishable on summary conviction, to imprisonment for a term not exceeding six months.

Subsection 255 (2) provides that everyone who commits an offence under paragraph 253(a) and thereby causes bodily harm to any other person is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years.

Subsection 255 (3) provides that everyone who commits an offence under paragraph 253(a) and thereby causes the death of any other person is guilty of an indictable offence and liable to imprisonment for a term not exceeding fourteen years.

one or two appearances were necessary, the majority (85%) of persons accused were found guilty compared to 68% of the people whose cases required six or more appearances.

Similarly, less than 1% of cases of persons making only one or two appearances were acquitted, compared to 6% of cases with six or more appearances. For almost a quarter (24%) of court cases which required six or more appearances, the charges were withdrawn. That proportion dropped to 11% for those who appeared only once or twice before the courts.

#### Fines remain the most common sentence

In 1998, the sentences prescribed by the *Criminal Code* ranged from a minimum of a \$300 fine for an impaired driving offence (concentration in the driver's blood exceeding 80 milligrams of alcohol in 100 millilitres of blood) to a maximum of 14 years in prison for impaired driving causing death. Some sentencing provisions were changed in July 1999 when legislation to amend the *Criminal Code* (Bill C-82) was passed in June of the same year (see table 1). The type and degree of the sentences are relative to recidivism and the sentencing policies in effect in the jurisdictions.

#### Fewer persons receiving imprisonment

The proportion of persons receiving a sentence of incarceration for an impaired driving conviction in provincial court has decreased in recent years, from 22% in 1994-95 to 19% in 1997-98. Conversely, the proportion receiving a fine as their most serious sentence has increased from 67% to 71% over the same time period. As data on recidivism, conditional sentencing and other mitigating circumstances are not available, this trend must be interpreted with caution.

Of those incarcerated for impaired driving, most are sentenced to less than two years (median term is 30 days) which is served in provincial/territorial institutions. In 1997-98 9, offenders convicted of impaired driving made up 10% of the inmate population of provincial/territorial institutions and 2% of the population of federal institutions. Of those who received a fine, the median fine amount was \$500 10.

### CONCLUSION

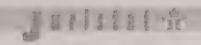
The number of persons charged with impaired driving in Canada has been dropping for the past 15 years; however, these data relate only to impaired drivers who have been formally charged by police. With this limitation in mind, this report has examined additional sources of information to try and determine if impaired driving has truly been decreasing.

The majority of additional data sources examined support the declining trend of police-reported data:

- our aging population has resulted in proportionally fewer drivers in the higher-risk age categories;
- changing societal attitudes (e.g. increase in the use of "designated drivers", IMPACT) appear to have dissuaded the average person from drinking and driving;
- stronger penalties for convictions have increased public awareness of the seriousness that the justice system have placed on impaired driving offences;
- trends in alcohol consumption show a general decline in recent years; and,

<sup>9</sup> Adult Correctional Services in Canada, 1997-1998. Catalogue No. 85-211.

<sup>10</sup> Excluding amount of fine equal to zero or unknown.



 data show a consistent drop in the proportion of fatally injured drivers who were tested to be legally impaired.

Data on levels of police enforcement were inconclusive in determining whether levels of such enforcement have been increasing or decreasing. However, data from a number of major police services showed an increase in the number of roadside suspensions given by police. This trend is confirmed by the results

of a recent survey of police officers discussing the amount of paperwork and time involved in the processing of an impaired driving charge.

All of the above would seem to indicate that impaired driving, with the exception of the hard-core drinking driver, is probably still decreasing.

Table 9

## Age specific rate of persons charged with impaired driving, sample of 169 police agencies, 1998

|              |            | Persons Charged |                             |  |  |  |
|--------------|------------|-----------------|-----------------------------|--|--|--|
| Age          | Population | Number          | Rate per 100,000 population |  |  |  |
| 13-15        | 599,492    | 18              | 3                           |  |  |  |
| 16           | 202,733    | 51              | 25                          |  |  |  |
| 17           | 209,126    | 179             | 86                          |  |  |  |
| 18           | 210,753    | 563             | 267                         |  |  |  |
| 19           | 209,098    | 745             | 356                         |  |  |  |
| 20           | 209,905    | 909             | 433                         |  |  |  |
| 21           | 215,980    | 922             | 427                         |  |  |  |
| 22           | 220,595    | 890             | 403                         |  |  |  |
|              |            |                 | 380                         |  |  |  |
| 23           | 223,949    | 850             |                             |  |  |  |
| 24           | 220,355    | 792             | 359                         |  |  |  |
| 25           | 223,456    | 769             | 344                         |  |  |  |
| 26           | 229,738    | 831             | 362                         |  |  |  |
| 27           | 241,693    | 850             | 352                         |  |  |  |
| 28           | 245,675    | 829             | 337                         |  |  |  |
| 29           | 244,777    | 799             | 326                         |  |  |  |
| 30           | 247,293    | 834             | 337                         |  |  |  |
| 31           | 254,198    | 828             | 326                         |  |  |  |
| 32           | 267,512    | 860             | 321                         |  |  |  |
| 33           | 285,492    | 1,003           | 351                         |  |  |  |
| 34           | 292,252    | 1,047           | 358                         |  |  |  |
| 35           | 295,389    | 1,009           | 342                         |  |  |  |
| 36           | 288,474    | 1,000           | 347                         |  |  |  |
| 37           | 292,037    | 990             | 339                         |  |  |  |
| 38           | 288,153    | 917             | 318                         |  |  |  |
| 39           | 283,049    | 907             | 320                         |  |  |  |
| 40           | 279,922    | 888             | 317                         |  |  |  |
| 41           | 274,454    | 891             | 325                         |  |  |  |
| 42           | 265,599    | 814             | 306                         |  |  |  |
| 43           | 263,572    | 709             | 269                         |  |  |  |
| 44           | 254,715    | 684             | 269                         |  |  |  |
|              | 243,802    | 659             | 270                         |  |  |  |
| 45           | 235,997    | 578             | 245                         |  |  |  |
| 46           |            |                 |                             |  |  |  |
| 47           | 232,010    | 512             | 221                         |  |  |  |
| 48           | 226,816    | 483             | 213                         |  |  |  |
| 49           | 223,579    | 446             | 199                         |  |  |  |
| 50           | 221,793    | 450             | 203                         |  |  |  |
| 51           | 220,769    | 426             | 193                         |  |  |  |
| 52           | 193,951    | 321             | 166                         |  |  |  |
| 53           | 181,211    | 303             | 167                         |  |  |  |
| 54           | 175,063    | 280             | 160                         |  |  |  |
| 55 and older | 3,311,808  | 2,306           | 70                          |  |  |  |

The population figures presented here for each specific age correspond to the areas represented by the incident-based Uniform Crime Reporting survey, and not for all of Canada. These data are not nationally representative.

Source: Incident-based Unifrom Crime Reporting Survey, CCJS

### **METHODOLOGY**

1. Aggregate Uniform Crime Reporting Survey: The aggregate-based UCR survey records the number of incidents reported to police. It includes the number of reported offences and the number of actual offences (excluding those that are unfounded), the number of offences cleared by charge, the number of persons charged by sex and by an adult/youth breakdown. Unless otherwise mentioned, all analysis in this report is based on aggregate survey counts.

- 2. Revised UCR Survey (UCRII): The revised microdata survey captures detailed information on individual criminal incidents reported to police, including characteristics of accused persons and the incidents. The reader is cautioned that these data are not nationally representative. In 1998, detailed data were collected from 169 police services in six provinces through the Revised UCR Survey. These data make up 46% of the national volume of actual *Criminal Code* offences. The incidents contained in the 1998 Research File are distributed as follows: 41% from Quebec, 35% from Ontario, 12% from Alberta, 8% from British Columbia, 3% from Saskatchewan, and 1% from New Brunswick.
- 3. Adult Criminal Courts Survey (ACCS): Provincial criminal courts in seven provinces and two territories (accounting for approximately 80% of the national provincial criminal court caseload) reported to the ACCS. The provinces and territories are Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, the Yukon and the Northwest Territories.

**Definition**: A **Case** is one or more charges against an accused person or corporation, where the charges are disposed of in the same court on the same date. Charges are linked to as case on the basis of court location, accused identifier and date of last court appearance. The offences listed in each "case-based" table contain offence information on the one offence defined as the most serious in each case.

- 4. Adult Correctional Services Survey (ACSS): This survey is based on the operation of adult correctional services (custodial and community corrections) in Canada at the federal and provincial level. It is conducted annually (on a fiscal year basis from April to March) and is designed to collect caseload and case characteristics information on adult offenders (18 and over).
- 5. Youth Courts Survey (YCS): This survey is a census of all cases heard in youth courts concerning offences under the *Criminal Code* and other federal statutes where the accused is between the ages of 12 and 17.
- 6. National Survey of Front-Line Police Officers: In conjunction with Transport Canada, the Canadian Association of Chiefs of Police (CACP) surveyed 1,401 police officers in Canada. The purpose of the survey was to identify current problems in enforcing impaired driving laws, determine the cause of the problems, and find possible solutions. The sample consisted of 48% of police officers serving communities of more than 100,000. Sixty percent of the respondents worked in a municipal police service, 17% in a provincial force, and 26% in the RCMP. Fourteen percent were full-time traffic officers, and

44% were qualified breathalyser technicians (not necessarily full-time). The questionnaire consisted of multiple-choice questions. The results presented in the analysis section of the report have a 5% margin of error.

- 7. The Traffic Injury Research Foundation (TIRF) maintains a database on fatal traffic accidents involving drivers, passengers and pedestrians in Canada, dating back to 1987. The data come from two sources: police accident reports and coroners' and medical examiners' reports from all provinces. In 1997, 1,802 drivers were killed in traffic accidents, and 82% were tested for the presence of alcohol in their blood (excluding operators of bicycles, snowmobiles, farm tractors, and other non-highway vehicles).
- 8. National Population Health Survey conducted by Statistics Canada from personal interviews from June 1996 to August 1997. The survey visited over 20,000 households that had also participated in the first cycle two years earlier, for a total of 16,000 respondents who provided full information; an additional 66,00 respondents (who were not part of the longitudinal panel) were also surveyed to provide detailed cross-sectional data on the indepth health questions. The findings are based on the full sample of 82,000 respondents age 12 and older.

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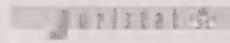
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## JUSTICE SPENDING IN CANADA

By Sandra Besserer and Jennifer Tufts

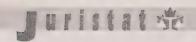
## HIGHLIGHTS

- Of every dollar that governments spent in the 1996/97 fiscal year, approximately 3 cents was spent on policing, courts and correctional services. This is similar to what was spent in four other sectors: resource conservation and industrial development, national defence, recreation and culture, and the environment. The largest portion of the government dollar was spent on social services (31 cents), followed by debt charges (15 cents), education (14 cents) and health (14 cents).
- Spending on six sectors of the justice system policing, courts, legal aid, criminal prosecutions, adult corrections and youth corrections totalled almost \$10 billion in 1996/97. This was the equivalent of \$337 for every person in Canada.
- Of the \$10 billion that was spent, the majority (59%) was spent on policing. Next most costly was adult corrections, at 20%. The remaining money was spent on courts (9%), legal aid (5%), youth corrections (5%) and criminal prosecutions (3%).
- When adjusted for inflation and increases in the population, spending on justice services in 1996/97 was down approximately 2% from the previous year and about 8% from 4 years before.
- In 1996/97, per capita spending on justice services was highest in the Northwest Territories and Yukon. Among the provinces, the figure ranged from \$175 per person in Newfoundland to \$264 per person in Ontario. Except for Manitoba and Prince Edward Island, per capita spending (adjusted for inflation) was down in all jurisdictions when compared to 1994/95.
- Almost 120,000 people were employed full-time in the justice system in 1996/97, that is, by the police, courts, legal aid plans, criminal prosecutions and adult corrections. Over half (62%) worked for the police. From 1992/93 to 1996/97, the number of employees declined by about 3%, equivalent to a decline of more than 7% on a per capita basis. These declines have been less severe than overall cuts in the public sector.



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## Introduction

Each year, governments must decide how to allocate funding to various competing priorities. Should more money be spent on health, education, or the environment? Should government spending be decreased? Should taxes be reduced? Should increased efforts be made to reduce government debts? Spending on the justice system, including policing, courts and the correctional system, is another area where governments must decide what should be spent.

This *Juristat* will examine how much is being spent to operate the justice system in Canada and how many people are working in the system. Trends in spending and personnel will be discussed for policing, courts, legal aid, criminal prosecutions, and corrections. Where appropriate, data are expressed in constant dollars, to remove the effects of inflation, and on a per capita basis, to eliminate the effects of differences in the population across the country and over time.

Data for the report come from several sources, including the Canadian Centre for Justice Statistics' resource, expenditure and personnel surveys, Statistics Canada's Financial Management System, and Justice Canada. Depending on the source, the data cover the period up to 1996/97 or 1997/98. The data on justice expenditures generally include operating costs, but exclude capital costs, such as building construction (see Data Sources and Box 1 for more detail).

### What are the recent economic trends?

The state of the economy will affect the demands that are placed on government funding, as well as the amount of money that governments collect and have available to spend. There has been some fairly good economic news for Canada of late. In 1997, after two years of slow growth, the economy¹ and employment expanded by 3.8% and 1.9%, respectively, nearly matching the best gains of the decade, attained in 1994. In 1998, economic growth slowed to 3.0%, but employment jumped by 2.8%, the biggest year-over-year gain of the 1990s. The inflation rate² continued to maintain historic lows, registering 1.6% in 1997 and 0.9% in 1998. The unemployment rate fell to 8.3% in 1998, reaching its lowest level since 1990.³

In the government sector, the emphasis on deficit reduction that began early in the 1990s meant that in 1997, all governments combined to record a budget surplus for the first time in 23 years. The deficit reduction was accomplished through increased revenues and by holding the line on spending. In 1998, the purse strings were loosened and spending increased by an estimated 1.9%, while revenues jumped by 3.0%.4

#### How much do governments spend?5

In Canada in 1996/97, spending by governments at all levels amounted to \$389 billion. Of that total, spending on justice services (policing, courts and corrections) accounted for 3% (see Figure 1). This was similar to what was spent on resource conservation and industrial development, national defence, recreation and culture, and the environment. The largest portion of government expenditures (31%) was devoted to social services, including social assistance, workers' compensation benefits, pension plan benefits and veterans' benefits. Next most costly were debt charges, at 15%. Expenditures on education and health each made up 14% of the total. The proportion of government spending devoted to justice services has changed very little over the last five years.

<sup>1</sup> As measured by real Gross Domestic Product (GDP).

As measured by changes in the Consumer Price Index (CPI)

For further information, see P. Cross "Economic Trends in 1997." Canadian Economic Observer 11(4) and "Year-End Review." Canadian Economic Observer 12(4) (Ottawa: Statistics Canada, April 1998 and 1999).

This is based on estimated spending figures. For further information see National Economic and Financial Accounts, Statistics Canada Catalogue no. 13-001-XPB.

This is based on the data from Statistics Canada's Financial Management System (FMS). The FMS figures for justice spending include figures for three sectors – policing, courts and corrections. See Data Sources for more information.

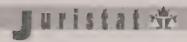
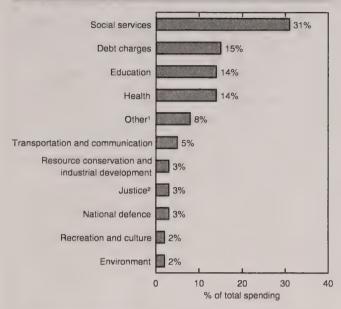


Figure 1

### Consolidated Government Spending, 1996/97



<sup>1</sup> Includes general government services; housing; labour, employment and immigration; and foreign affairs and international assistance.

Includes spending on policing, courts and corrections.

Source: Statistics Canada, Public Institutions Division, Financial Management System.

Once spending figures are adjusted for inflation<sup>6</sup> and changes in population, total government spending in 1996/97 was down 4.8% from the previous year (see Table 1). Spending was down in the four largest sectors (social services, debt charges, education and health), as well as in the justice sector. Compared to figures for the beginning of the decade (1990/ 91), total spending was down 5.9%. This exceeded the decline in education (-4.1%), justice (-3.7%), and health (-3.5%), but not debt charges (-6.5%). Spending on social services was the only major category to show an increase in constant dollar per capita spending (+3.9%) from the start of the decade.

#### What do justice services cost?8

In 1996/97, almost \$10 billion was spent on six sectors of the justice system - policing, courts, legal aid, criminal prosecutions, adult corrections and youth corrections (see Table 2).9 This was the equivalent of \$337 for every person in Canada. By far the largest portion of the justice dollar was spent on policing, which accounted for 59% of total spending or \$197 per person (see Figure 2). Next most costly was adult corrections at 20%, followed by courts at 9%.

When spending figures are adjusted for inflation and changes in the population, spending on justice services appears to be decreasing. In 1996/97, per capita spending<sup>10</sup> was down approximately 2% from the year before (when adjusted for inflation). Data available over a longer time period (for policing, courts, legal aid, and adult and youth corrections) also indicate that spending is down. Per capita constant dollar spending in these five sectors was \$310 in 1996/97 and has dropped every year since 1992/93, posting a decline of 8% over that time frame. Spending in each justice sector is discussed later in more detail.

Figures are expressed on a per capita basis in order to eliminate the effects of population differences across the country or over time.

Spending in all sectors except policing is measured on a fiscal year basis. For comparison purposes in this report, policing expenditures are also expressed this way. For example, 1997 spending will be shown as 1997/98 spendina.

Per capita justice spending figures presented in this Juristat may differ from previously published figures due to recent revisions to population data.

Table 1

## **Trends in Government Spending for Selected Sectors**

|  | 1990/91 | 1991/92 | 1992/93 | 1993/94 | 1994/95 | 1995/96 | 1996/97 |
|--|---------|---------|---------|---------|---------|---------|---------|
| Year-to-year change in constant 1992\$<br>per capita spending (%) <sup>1,2</sup> |         |         |         |         |         |         |         |
| Social Services  | 3.6     | 6.2     | 3.5     | 1.1     | -3.5    | -2.4    | -0.8    |
| Debt Charges   | 4.0     | -7.8    | -3.8    | -0.9    | 8.9     | 5.4     | -7.2    |
| Education  | 2.9     | 3.0     | 2.9     | -2.6    | 1.2     | -3.2    | -5.0    |
| Health   | 2.4     | 2.5     | 1.0     | -1.5    | -1.0    | -0.6    | -3.8    |
| Justice <sup>3</sup>   | 3.7     | -1.2    | 1.8     | 0.8     | -0.5    | -1.4    | -3.3    |
| Total <sup>4</sup>   | 2.1     | 1.2     | 0.1     | -1.6    | 0.3     | -1.1    | -4.8    |

The population estimates used to calculate per capita figures are provided by Statistics Canada, Census and Demographic Statistics, Demography Division. Populations as of July 1st: revised intercensal estimates for 1990; final intercensal estimates for 1991 to 1995; and final postcensal estimates for 1996

In order to create constant dollar figures with the effects of inflation removed, figures were converted to a base of 1992=100 using Statistics Canada's Consumer Price Index (CPI)

Includes policing, courts and corrections

Source: Statistics Canada, Public Institutions Division, Financial Management System.

The Consumer Price Index (CPI) with a base year of 1992=100 was used to calculate constant dollars. For example, the CPI for 1996 was used to adjust spending figures for fiscal year 1996/97.

This is based on data from the Canadian Centre for Justice Statistics' resource, expenditure and personnel surveys and on spending estimates provided by Justice Canada. See Box 1 and Data Sources for more information. The data may differ from those reported in the previous section on overall government spending because the data sources, coverage, etc. are different.

Represents total government spending, including sectors not shown in the table.

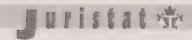


Table 2



## **Spending on Justice Services**

|   | 1992/93   |   | 1993/94 19  |   | 1994/   | 95  | 1995/   | 96  | 1996/97   |   | 1997/                            | 98                        |
|---|---|---|---|---|---|---|---|---|---|---|----------------------------------|---------------------------|
|   | Total   | Per<br>capita                             | Total                            | Per<br>capita             |
| Population (000s) <sup>1</sup><br>CPI (1992=100) <sup>2</sup>   | 28,376.6<br>100.0                                   |   | 28,703.1<br>101.8                                   |   | 29,036.0<br>102.0                                   |   | 29,353.9<br>104.2                                   |   | 29,671.9<br>105.9                                   |   | 30,004.0<br>107.6                |                           |
| Spending in current \$  | millions \$   | \$  | millions \$   | \$  | millions \$   | \$  | millions \$   | \$  | millions \$   | \$  | millions \$                      | \$                        |
| Police<br>Courts <sup>3</sup><br>Legal Aid<br>Adult Corrections<br>Youth Corrections <sup>4</sup><br><b>Sub-total</b> | 5,717<br>867<br>602<br>1,880<br>489<br><b>9,555</b> | 201<br>31<br>21<br>66<br>17<br>337        | 5,790<br>852<br>594<br>1,879<br>508<br><b>9,623</b> | 202<br>30<br>21<br>65<br>18<br><b>335</b> | 5,784<br>838<br>646<br>1,894<br>526<br><b>9,687</b> | 199<br>29<br>22<br>65<br>18<br>334        | 5,809<br>847<br>622<br>1,919<br>508<br><b>9,705</b> | 198<br>29<br>21<br>65<br>17<br><b>331</b> | 5,856<br>857<br>536<br>1,969<br>513<br><b>9,732</b> | 197<br>29<br>18<br>66<br>17<br><b>328</b> | 5,989<br><br>455<br>2,077<br>499 | 200<br><br>15<br>69<br>17 |
| Prosecutions <sup>3</sup> Total   |   |   |   |   | 257<br><b>9,944</b>                                 | 9<br><b>342</b>                           | 261<br><b>9,966</b>                                 | 9<br><b>340</b>                           | 265<br><b>9,996</b>                                 | 9<br><b>33</b> 7                          |                                  |                           |
| Spending in constant 1992\$2  |   |   |   |   |   |   |   |   |   |   |                                  |                           |
| Police<br>Courts <sup>3</sup><br>Legal Aid<br>Adult Corrections<br>Youth Corrections <sup>4</sup><br><b>Sub-total</b> | 5,717<br>867<br>602<br>1,880<br>489<br><b>9,555</b> | 201<br>31<br>21<br>66<br>17<br><b>337</b> | 5,688<br>837<br>584<br>1,846<br>499<br><b>9,453</b> | 198<br>29<br>20<br>64<br>17<br><b>329</b> | 5,670<br>821<br>634<br>1,856<br>515<br><b>9,497</b> | 195<br>28<br>22<br>64<br>18<br><b>327</b> | 5,574<br>813<br>597<br>1,842<br>488<br><b>9,314</b> | 190<br>28<br>20<br>63<br>17<br><b>317</b> | 5,530<br>810<br>506<br>1,859<br>485<br><b>9,189</b> | 186<br>27<br>17<br>63<br>16<br><b>310</b> | 5,566<br>423<br>1,931<br>464     | 186<br><br>14<br>64<br>15 |
| Prosecutions <sup>3</sup> Total   | ***   |   |   |   | 252<br><b>9,749</b>                                 | 9<br><b>336</b>                           | 250<br><b>9.564</b>                                 | 9<br><b>326</b>                           | 250<br><b>9,439</b>                                 | 8<br><b>318</b>                           |                                  |                           |

<sup>..</sup> figures not available.

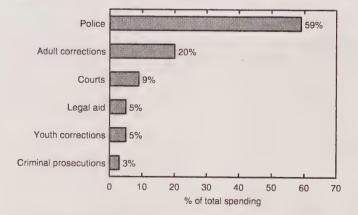
2 In order to create constant dollar figures with the effects of inflation removed, figures were converted to a base of 1992=100 using Statistics Canada's Consumer Price Index (CPI),

Youth corrections costs are estimates. The figures likely underestimate total costs.

Sources: Justice Canada, Young Offenders Cost-Sharing Agreements and Statistics Canada, Canadian Centre for Justice Statistics. Police Administration Annual Survey; Courts Resources, Expenditures and Personnel Survey; Criminal Prosecutions Resources, Expenditures and Personnel Survey; and Adult Correctional Services Survey.

Figure 2

### Spending on Justice Services, 1996/97



Sources: Justice Canada, Young Offenders Cost-Sharing Agreements and Statistics Canada, Canadian Centre for Justice Statistics, Police Administration Annual Survey; Courts Resources, Expenditures and Personnel Survey; Criminal Prosecutions Resources, Expenditures and Personnel Survey; Legal Aid Survey; and Adult Correctional Services Survey.

The overall spending figures do not include the total amount of money spent by governments on justice services. As mentioned previously, capital costs, such as prison construction are not included. Other exclusions include some of the costs related to victim compensation (see Box 2), victim services, maintenance enforcement programs, crime prevention (see Box 3) and justice policy and research. Spending by non-government agencies, for example those offering services to offenders or to victims of crime, is not included.<sup>11</sup> Something else to consider in examining justice spending is that the justice sector is not solely a consumer of resources — in certain instances the sector generates revenues (see Box 4).

#### Policing

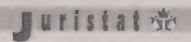
Policing involves more than investigating crimes and apprehending suspects. Other services provided by the police include: forensic services; property and evidence management; traffic enforcement; patrol services; court services, including summons and subpoena processing, handling of persons in court, and appearing as witnesses; victim support; screening of potential employees and volunteers; Crime Stoppers, Neighbourhood Watch and school

<sup>...</sup> figures not appropriate or not applicable.

<sup>1</sup> The population estimates used to calculate per capita figures are provided by Statistics Canada, Census and Demographic Statistics, Demography Division. Populations as of July 1st: final intercensal estimates for 1992 to 1995; final postcensal estimates for 1996; and updated postcensal estimates for 1997.

In order to make annual comparisons, court expenditures for 1993/94 and 1995/96 have been estimated based on the average between the reporting years preceding and following the reference period. Prosecutions expenditures for 1995/96 were estimated in a similar manner.

<sup>&</sup>lt;sup>11</sup> Some of this spending may be included if it was government funded.



#### Box 1

#### About justice spending data

The Canadian Centre for Justice Statistics collects resource and expenditure data for five justice sectors: policing, courts, legal aid, criminal prosecutions and adult corrections. In the case of youth corrections, national estimates on spending are available from Justice Canada.

Police expenditures include actual operating expenditures that are paid from police force budgets, such as salaries and wages. Revenues, recoveries and capital expenditures are excluded. All police agencies are covered, with the exception of specialized enforcement areas such as the Canadian Security Intelligence Service. Personnel involved in the enforcement of specific statutes in the areas of income tax, customs and excise, immigration, fisheries and wildlife are also excluded.

**Court expenditures** include all operating expenditures (salaries and benefits) for judges and support staff in the Supreme Court, the Tax Court, the Federal Court of Canada, the Office of the Commissioner for Federal Judicial Affairs, the Judicial Council and all courts in the provinces and territories. Excluded are maintenance enforcement services, building occupancy costs, prisoner escort services, and costs associated with coroner inquests.

Legal aid expenditures include payments made to private law firms and legal aid plan staff for the provision of legal advice and representation in criminal and civil matters. Law office and community law clinic expenses (staff salaries, benefits and overhead) are included, as are all central administrative expenses.

**Prosecution expenditures** include all operating expenditures (salaries and benefits) for full-time and contract lawyers, who conduct the prosecution of criminal cases on behalf of the Crown. All direct support staff costs are also included.

Adult correctional expenditures include operating expenditures for federal and provincial correctional facilities (salaries and benefits for custodial and non-custodial staff), community supervision (probation, parole, bail supervision), headquarters, and parole boards (federal and provincial).

Youth correctional expenditures are estimates provided by Justice Canada and likely underestimate total costs. The figures include youth alternative measures, custodial services, probation supervision, judicial interim release supervision, medical and psychological reports, post-adjudication detention, pre-disposition reports, review boards and screening services. Excluded are those costs related to pre-trial detention (remand and lock-ups) and the adjudication of young offenders for provincial offences.

#### Box 2

#### **Victim Compensation**

The criminal justice system has been evolving over the last 15 years to facilitate the participation of victims and witnesses. Recently, as part of an overall federal government strategy to respond to the needs of victims of crimes, the Minister of Justice introduced amendments to the *Criminal Code*. The proposed legislation will make available additional resources for provincial and territorial governments to provide services directly to victims of crime. It will ensure that victims' surcharges, the penalties imposed on offenders by the courts and collected by the provinces and territories to fund programs, services and assistance to victims of crime, will increase in amount and be mandatory.

Currently, in most provinces and territories, there is legislation stipulating that victims of crime may be compensated for both their financial and emotional loss and suffering. British Columbia is one province that uses this type of legislation to support a Criminal Injury Compensation Program (CICP). Established in 1972 to ease the financial burden of injury or death on victims of crime and their families, the CICP is administered by the Workers' Compensation Board and is part of the provincial government's overall responsibility for victim services.

In British Columbia in 1998, over \$18 million was awarded in victims' compensation, an amount that was down about 9% from what was awarded in 1997. Almost half (49%) of all compensation money was awarded for pain and suffering, followed by wage loss (17%) and counselling (11%). Of the 56 offences for which compensation can be paid, assaults and sexual offences accounted for the majority of money awarded in 1998. Victims of assault (levels 1, 2 and 3) were paid 43% of award money, followed by victims of sexual offences (28%), homicide and attempted murder (19%), and robbery (3%).

Sources: Department of Justice Canada. Backgrounder: Federal legislation strengthening the voice of victims of crime. Ottawa: April 15, 1999. Workers' Compensation Board of British Columbia. Criminal Injury Compensation Program Report 1998. British Columbia: 1998.

#### Box 3

#### **Crime Prevention**

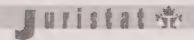
Individuals spend both time and money in an effort to reduce personal victimization. They secure their homes and motor vehicles; they participate in community safety programs; and they adopt crime prevention behaviours, for example they may avoid using public transportation after dark. Governments and other groups also spend money on crime prevention. In recent years, this has become an area of increasing interest and priority.

On June 2, 1998, the federal government announced the details of Phase II of its National Strategy on Community Safety and Crime Prevention. At the time, Minister of Justice, Anne McLellan, expressed her belief that too much emphasis was being placed on dealing with crimes after the fact and not enough was being done on preventing them in the first place. The initiative, with annual funding of \$32 million, has three objectives:

- · to promote integrated action by governmental and non-governmental partners to reduce crime and victimization;
- · to assist communities to develop community-based solutions to problems that contribute to crime and victimization; and
- to increase public awareness and support for effective approaches to crime prevention.

It will be important to collect and analyze data to assess the impact over time of investments in crime prevention on the nature and extent of criminal activity, the levels and perception of public safety, and the demands being placed on police, courts and other components of the justice system.

Source: National Crime Prevention Centre <a href="http://www.crime-prevention.org">http://www.crime-prevention.org</a> (Accessed on October 28, 1999).



#### Box 4

#### Justice Revenues

The justice sector generates revenues for governments both directly and indirectly. As an example of the latter, consider that in 1997, investigations through the RCMP Customs and Excise Branch (which ensures the legal movement of goods across Canada's borders) uncovered more than \$128 million worth of illegal goods including cigarettes and alcohol. This reduced the loss of tax revenue and customs duties to the federal government resulting from the illegal importation and sale of such goods. Also in 1997, the RCMP Drug Enforcement Branch seized drugs with a total street value of \$638.5 million, thereby in all likelihood, reducing drug-related crime and overdoses, lowering the burden on the health care system, and saving taxpavers dollars.

Justice sector activity also has a more direct impact on government funds. For example, the policing sector recovers assets associated with illegal activities, the courts sector collects fines imposed upon offenders, and the corrections sector earns income through the work of inmates. Some of these examples are described in more detail below.

The RCMP Proceeds of Crime Branch, in accordance with proceeds of crime legislation, <sup>12</sup> can confiscate any property that is purchased by money earned through criminal activity. Thus, criminals' homes, cars, sports vehicles, or bank accounts can be seized. The proceeds of such items become part of general government revenues, where they can be spent on social and other programs. Since proceeds of crime legislation was passed in 1989, the RCMP has seized approximately \$241 million worth of assets and approximately \$80 million in forfeitures. (It should be noted that these assets may not generate their full value when sold.)

The collection of fines imposed upon offenders within the criminal justice system is the responsibility of the courts. In 1997/98, adult criminal courts in 9 provinces and territories imposed approximately \$135 million 13 in fines for the commission of federal statute offences. Additionally, during the same year, youth courts across Canada imposed fines of approximately \$1.2 million for the commission of federal statute offences. 14 (Under the Young Offenders Act, \$1,000 is the maximum fine that young offenders can be ordered to pay.) Not included in these figures are fines collected for violations of provincial and municipal statutes, including certain traffic offences (e.g., *Highway Traffic Control Act* violations). These amounts can be significant. In the province of Newfoundland, for example, approximately \$5.5 million was collected in 1997/98, the equivalent of \$10 for every person in the province. 15 Most of the tickets were issued for motor vehicle related offences. Of course, not all of this money gets collected because not all offenders pay their fines.

CORCAN is an agency of the Correctional Service of Canada. Its purpose is to help reintegrate offenders into society by providing training and work experience that is similar to private sector work settings. Federal inmates manufacture and produce a wide range of industrial and agribusiness commodities. These products are then sold to federal, provincial and municipal governments, and non-profit organizations. The revenues that are generated help to offset the costs of offender training and incarceration. In 1997/98, CORCAN activities generated approximately \$76 million in revenues, a 13% increase from the \$67 million generated the previous year. Of the various sources of revenue, construction activities accounted for the largest proportion (27%) of total revenues, followed by manufacturing (26%).

Sources: Correctional Service Canada. CORCAN – Marketing Package. Ottawa: 1998.

Correctional Service Canada. CSC Performance Report – March 1998. Ottawa: 1998.

Royal Canadian Mounted Police <a href="http://www.rcmp-grc.gc.ca">http://www.rcmp-grc.gc.ca</a> (Accessed on July 7, 1999).

<sup>12</sup> This includes various provisions of the Criminal Code, the Controlled Drugs and Substances Act, the Proceeds of Crime (Money Laundering) Act and other legislation.

This figure is based on data from Statistics Canada's Adult Criminal Court Survey (ACCS) and represents approximately 80% of the national caseload in provincial/territorial courts. There is no coverage of superior courts.

14 This figure is based on data from Statistics Canada's Youth Court Survey, which has full national coverage.

15 This figure is based on data from the Government of Newfoundland's Ticket Management System.

liaison programs; security alarm response; and media relations.

The responsibility for providing policing services is shared by all levels of government: federal, provincial/territorial and municipal. At the federal level, the RCMP is responsible for the enforcement of most federal laws. The provinces and territories assume responsibility for their own provincial/territorial and municipal policing. Municipal policing involves the enforcement of the *Criminal Code*, provincial statutes and municipal by-laws within municipal boundaries, while provincial policing involves the enforcement of the *Criminal Code* and provincial statutes in areas not served by municipal forces. A few provinces have their own provincial police forces, but most contract the RCMP to provide provincial policing. The RCMP (or the provincial policing services.

Nearly \$6 billion was spent on policing services in 1997/98, the equivalent of \$200 for every person in Canada (see

Table 2). The majority of expenditures (80%) went to wages, salaries and benefits. Municipal policing accounted for the majority (56%) of policing expenditures, followed by provincial policing at 24% and federal costs at 20%. <sup>16</sup>

Spending on policing in current dollars has increased in recent years, rising 5% from \$5.7 billion in 1992/93 to \$6.0 billion in 1997/98. However, after adjusting for inflation and increases in the population, spending on policing has declined (see Figure 3). Expressed in 1992 dollars, spending in 1997/98 was \$186 per person, down 8% from the figure for 1992/93. Spending on policing is not directly correlated to the level of crime; however, the downward trend in spending parallels what has been happening to the police-reported crime rate. Between 1992 and 1997, the crime rate dropped 16%.

<sup>16</sup> Federal costs include the cost of federal policing plus a portion of the cost for municipal and provincial/territorial policing in those jurisdictions that contract the RCMP to perform this service.

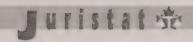
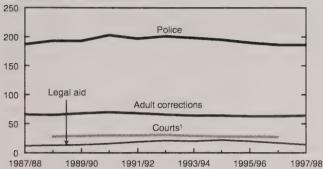


Figure 3

# r iguie o

# Trends in Per Capita Spending on Justice Services

Spending per capita (constant 1992\$)



Figures for 1989/90, 1991/92, 1993/94 and 1995/96 for Courts are estimates.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Police Administration Annual Survey; Courts Resources, Expenditures and Personnel Survey; Legal Aid Survey; and Adult Correctional Services Survey.

The per capita cost for municipal and provincial policing in Canada, which is the responsibility of the provinces, amounted to \$159 in 1997/98 (see Table 3).<sup>17</sup> Per capita costs for the Northwest Territories<sup>18</sup> (\$386) and Yukon (\$291) were considerably higher than in the provinces (see Box 5). Among the provinces, costs were highest in Quebec and Ontario at \$177 per person, and lowest in Newfoundland (\$98) and Prince Edward Island (\$100). These rankings have generally been the same since data were first collected in 1985. In 1997/98, per capita spending increased in six provinces/territories, but once the figures are adjusted for inflation, just two jurisdictions — British Columbia and Yukon — showed increases.

#### Courts

Courts in Canada hear criminal and civil cases. In criminal cases, a person or business is prosecuted for having broken a law. In civil cases, there is a dispute between two or more private parties, for example divorce, child custody and access, probate and small claims matters. In order to operate the

#### Box 5

### The high cost of justice in Yukon and the Northwest Territories

Per capita spending figures for policing, courts, legal aid and adult corrections all tend to be higher in Yukon and the Northwest Territories than they are in other parts of the country. It is not possible to identify all of the reasons for these differences, but certainly part of the explanation is related to the high cost of providing justice services to small populations that are spread out over large, remote areas. In the case of court services, for example, there are only a few permanent court locations and many circuit courts. A judge, clerk, court reporter, Crown prosecutor, defense counsel and victim services officer travel to various temporary locations to conduct hearings.

court system, a variety of activities must be undertaken. These include: issuing appearance notices, summonses and warrants for arrest; receiving, storing and maintaining all records and exhibits associated with matters before the court; keeping an account of all money paid for fines and fees; monitoring the enforcement of court orders; scheduling trials and co-ordinating witnesses and juries; providing sheriff services for such things as court security and serving civil documents; and maintaining a law library.

Responsibility for the operation of courts is divided between the federal and provincial/territorial governments. The Supreme Court of Canada, the Federal Court of Canada and the Tax Court of Canada have national authority and are the responsibility of the federal government. The provinces and territories are responsible for the creation and administration of courts within their boundaries. Variations exist in the organization of these courts, but in general there are appeal courts, superior (trial) courts, which hear more serious matters, and provincial/territorial (trial) courts. The judges that preside over the appeal and superior courts are appointed and paid by the federal government.

Court operating costs amounted to \$857 million in 1996/97 or about \$29 per person (see Table 2). As with policing costs, over 80% of the total was the result of expenditures on salaries, wages and benefits. The remainder was spent on operating costs, including law library/publication costs, witness costs, travel costs, and office expenses. Spending in current dollars was up about 2% from 1994/95, the year for which data were previously collected. However, constant dollar per capita spending, at \$27 in 1996/97, was down 4% from 1994/95 and 11% from 1992/93 (see Figure 3).

The volume of cases in youth courts and adult provincial/ territorial criminal courts has been down in recent years and may thus offer a partial explanation for the decline in expenditures. In 1997/98, the number of cases in adult criminal courts declined 1% and was down 8% from 3 years earlier. The number of youth court cases increased slightly (0.7%) in 1997/98, but has dropped almost 4% since 1992/93. There could be any number of other contributing factors to the decline in expenditures, including the use of diversion; the caseload in superior trial courts, civil courts and appeal courts; the type and complexity of cases at all levels of court; and the use of more efficient caseflow management techniques.

<sup>17</sup> It should be noted that per capita spending costs by the provinces and territories are not strictly comparable. When the RCMP are contracted to perform municipal or provincial policing, the cost to the province/territory includes only their portion of the contract cost and not any additional policing costs that may be incurred.

<sup>&</sup>lt;sup>18</sup> On April 1, 1999, Nunavut, which consists of the eastern part of the former Northwest Territories, officially became a Canadian territory. The justice spending and personnel data in this report pre-date the creation of Nunavut and it is not possible at the present time to derive data for Nunavut. Thus, figures in this Juristat for the Northwest Territories refer to the former Northwest Territories.

<sup>&</sup>lt;sup>19</sup> This is based on data from the Adult Criminal Court Survey. In 1997/98, this survey collected information on cases disposed in the provincial/territorial courts of 9 provinces and territories, representing about 80% of the national caseload in provincial/territorial courts.

<sup>&</sup>lt;sup>20</sup> Diversion, for example alternative measures, is an approach used to keep offenders from further involvement in the court system.

<sup>&</sup>lt;sup>21</sup> Data on the volume of cases in superior, civil and appeal courts are not yet available from Canadian Centre for Justice Statistics' surveys.

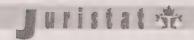


Table 3



#### Spending on Justice Services in the Provinces and Territories, by Sector

|                       | Pi         | Police <sup>1</sup> |            | ourts <sup>2</sup> | Legal Aid  |             | Prosecutions <sup>3</sup> |              | Adult Corrections <sup>4</sup> |                  |                         |                       |
|-----------------------|------------|---------------------|------------|--------------------|------------|-------------|---------------------------|--------------|--------------------------------|------------------|-------------------------|-----------------------|
|                       | Per capi   | ita spending        | Per capit  | ta spending        | Per capi   | ta spending | Per cap                   | ita spending | Per cap                        | ita spending     | Population <sup>5</sup> | CPI <sup>6</sup>      |
|                       | current \$ | constant \$         | current \$ | constant \$        | current \$ | constant \$ | current \$                | constant \$  | current \$                     | constant \$      | 000s                    | 1992=100              |
| 1996/97               |            |                     |            |                    |            |             |                           |              |                                |                  |                         |                       |
| Newfoundland          | 99         | 93                  | 27         | 26                 | 10         | 9           | 6                         | 6            | 33                             | 31               | 560.6                   | 106.0                 |
| Prince Edward Island  | 100        | 95                  | 30         | 29                 | 4          | 4           | 6                         |              | 39                             | 37               | 136.2                   | 105.2                 |
| Nova Scotia           | 112        | 106                 | 38         | 36                 | 11         | 11          | 9                         |              | 27                             | 25               | 931.2                   | 105.6                 |
| New Brunswick         | 123        | 117                 | 23         | 22                 | 5          | 5           | 6                         | 5            | 24                             | 23               | 753.0                   | 104.9                 |
| Quebec                | 177        | 171                 | 22         | 21                 | 16         | 15          | 5                         | 5            | 23                             | 22               | 7.274.0                 | 103.4                 |
| Ontario               | 173        | 164                 | 24         | 23                 | 23         | 21          | 7                         | 7            | 38                             | 35               | 11,100.9                | 105.9                 |
| Manitoba              | 145        | 132                 | 33         | 30                 | 13         | 12          | 7                         | 6            | 38                             | 35               | 1.134.3                 | 109.2                 |
| Saskatchewan          | 139        | 128                 | 26         | 24                 | 9          | 8           | 7                         | 7            | 48                             | 44               | 1,019.5                 | 108.9                 |
| Alberta               | 130        | 121                 | 28         | 26                 | 9          | 8           | 7                         | 6            | 27                             | 25               | 2,780.6                 | 107.3                 |
| British Columbia      | 125        | 114                 | 34         | 32                 | 25         | 23          | 14                        | 13           | 40                             | 37               | 3,882.0                 | 108.9                 |
| Yukon                 | 278        | 259                 | 120        | 111                | 28         | 26          |                           | .,           | 244                            | 227              | 31.9                    | 107.5                 |
| Northwest Territories | 406        | 375                 | 133        | 123                | 76         | 70          | **                        |              | 243                            | 224              | 67.6                    | 108.2                 |
| Total                 | 157        | 148                 | 26         | 25                 | 18         | 17          | 7                         | 7            | 34                             | 32               | 29,671.9                | 105.9                 |
| 1997/98               |            |                     |            |                    |            |             |                           |              |                                |                  |                         |                       |
| Newfoundland          | 98         | 91                  |            |                    | 10         | 0           |                           |              | 0.4                            | 00               | 554.4                   | 400.0                 |
| Prince Edward Island  | 100        | 94                  | **         |                    | 4          | 9<br>4      | "                         |              | 34                             | 32               | 554.4                   | 108.2                 |
| Nova Scotia           | 113        | 105                 | **         |                    | 11         | 10          | **                        | ••           | 37                             | 35               | 136.8                   | 106.5                 |
| New Brunswick         | 121        | 113                 | **         | **                 | 5          | 4           | **                        | **           | 26                             | 24               | 934.8                   | 107.8                 |
| Quebec                | 177        | 168                 | **         | **                 | 15         | 14          | **                        | **           | 23                             | 21               | 754.0                   | 106.9                 |
| Ontario               | 177        | 164                 | **         | **                 | 17         | 15          | **                        | **           | 22<br>41                       | 21<br>38         | 7,307.6                 | 104.9                 |
| Manitoba              | 147        | 132                 | **         | **                 | 14         | 12          | **                        |              | 39                             |                  | 11,260.4                | 107.9                 |
| Saskatchewan          | 138        | 126                 | **         | **                 | 9          | 8           |                           |              | 48                             | 35<br>44         | 1,136.8                 | 111.6                 |
| Alberta               | 132        | 120                 | **         | **                 | 8          | 7           | **                        | **           | 26                             | 24               | 1,022.2                 | 110.3                 |
| British Columbia      | 127        | 116                 | **         | "                  | 22         | 20          | "                         | **           | 42                             | 24<br>38         | 2,837.8                 | 109.5                 |
| Yukon                 | 291        | 265                 |            | **                 | 27         | 25          |                           | **           | 253                            | 230              | 3,959.3                 | 109.7                 |
| Northwest Territories | 386        | 357                 | **         | "                  | 80         | 74          | **                        | **           | 222                            |                  | 32.2                    | 109.9                 |
| Total                 | 159        | 148                 | ***        | ***                | 15         | 14          | ***                       |              | 35                             | 205<br><b>33</b> | 67.8<br><b>30,004.0</b> | 108.3<br><b>107.6</b> |

<sup>..</sup> figures not available

4 Excludes spending on federal corrections.

The territories had the highest per capita court expenditures (see Table 3). Among the provinces, per capita costs in 1996/97 ranged from \$22 in Quebec to \$38 in Nova Scotia. <sup>22</sup> Compared with 1994/95, per capita constant dollar spending increased in Prince Edward Island, Nova Scotia, Manitoba and Yukon, with Manitoba showing the largest increase, at 7%.

#### Legal Aid

Not all Canadians have the resources to pay for legal services. Legal aid plans have been established in each province and territory to assist low-income individuals who need professional legal counsel, but can't afford to pay for it. The services provided by legal aid plans include legal representation, advice, referrals and information services.

Both criminal and civil (usually family-related) cases are covered, although the extent of coverage varies among provinces and territories.

The responsibility of the federal government is to provide some of the funding for legal aid plans. Minimum coverage standards for criminal matters are, in part, set under federal/provincial/territorial cost-sharing agreements. The provinces/territories also pay part of the costs of legal aid and they are responsible for the operation of their own plans. They therefore determine the type of matters that will be covered (above minimum standards), the eligibility criteria for applicants and the method of service delivery.

<sup>...</sup> figures not appropriate or not applicable.

Excludes federal spending on the RCMP. Also, provincial/territorial expenditures on RCMP contracts reflect only the cost billed to the province/territory or municipality and not the total cost of the contract or any additional policing costs.

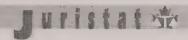
Excludes spending on federal courts and administrative costs for the Office of the Commissioner for Federal Judicial Affairs.

Excludes Justice Canada spending, including prosecution costs for Yukon and the Northwest Territories. Also excludes prosecution costs for Quebec municipal courts estimated to represent 20% of the Quebec workload.

The population estimates used to calculate per capita figures are provided by Statistics Canada, Census and Demographic Statistics, Demography Division. Populations as of July 1st: final postcensal estimates for 1996 and updated postcensal estimates for 1997.

In order to create constant dollar figures with the effects of inflation removed, figures were converted to a base of 1992=100 using Statistics Canada's Consumer Price Index.
Sources: Statistics Canada, Canadian Centre for Justice Statistics, Police Administration Annual Survey; Courts Resources, Expenditures and Personnel Survey; Criminal Prosecutions Resources, Expenditures and Personnel Survey; Legal Aid Survey; and Adult Correctional Services Survey.

Per capita costs include expenditures for federally appointed and paid judges.



Across Canada, there are three basic models for the delivery of legal aid services: judicare, staff, and mixed systems. Under the judicare model, clients retain a private lawyer who then bills the legal aid plan for legal services provided. Under the staff system, the legal aid plan directly employs lawyers who provide legal services. Under the mixed system, there are both private and staff lawyers who provide legal services. Ontario and Alberta have primarily judicare systems; Newfoundland, Prince Edward Island, Nova Scotia, and Saskatchewan have primarily staff systems; and New Brunswick, Quebec, Manitoba, British Columbia, the Northwest Territories, and Yukon operate mixed systems.

In 1997/98, legal aid plans spent \$455 million, the equivalent of \$15 per capita (see Table 2). Of the \$455 million that was spent, 84% was spent on direct legal services, meaning money spent on the provision of legal advice, information, referrals to other agencies and representation. This includes payments to private lawyers, as well as service delivery by legal aid plan staff. The remaining 16% of funds were spent by legal aid plans on legal research, public legal education, administrative costs, and grants to other agencies.

Legal aid spending has been down for the last three years, including a 15% drop in 1997/98. In constant dollar terms, spending nation-wide was \$14 per capita in 1997/98, also down for the third straight year. Between 1992/93 and 1997/98, constant dollar per capita spending on legal aid dropped 34%. This was a much larger drop than in the three other justice sectors with comparable data, i.e. youth corrections (-10%), policing (-8%) and adult corrections (-3%).

There is a wide variation in per capita spending on legal aid in the provinces and territories. In 1997/98, the Northwest Territories (\$80) and Yukon (\$27) led the way with figures much higher than the national average of \$15 per person (see Table 3). The lowest figure was reported by Prince Edward Island, at \$4. In addition to budget size, these differences partly reflect variations in the nature of legal aid plans, including the types of cases covered, financial eligibility criteria, and mode of service delivery. Other factors, may include a region's social and economic characteristics and the crime rate. Actual expenditures were down in all but three provinces and territories in 1997/98, with Ontario recording the largest decline at -25%. The decline in Ontario was the result of tightened eligibility criteria, reductions in the types of cases covered and a cut in the fees paid to lawyers.

#### **Criminal Prosecutions**

In Canada, Crown prosecutors (or attorneys) are lawyers that represent the Crown before the courts in prosecutions of criminal offences. In addition to the work that they do in court, Crown prosecutors provide pre-charge advice to the police, prepare for trials, and carry out any post-trial activities, for example appeals. They also perform liaison work with witnesses and victims, and often contribute to policy development and/or public legal education. In three provinces – New Brunswick, Quebec and British Columbia – the Crown must give approval before the police can lay a charge.

Responsibility for prosecution services is divided between the provinces and the federal government. In the territories, all prosecution services under the *Criminal Code* and other federal legislation are provided by federally appointed counsel. In the provinces, the prosecution of *Criminal Code* offences is conducted by provincially appointed counsel, while violations of other federal statutes (for example, the *Controlled Drugs and Substances Act*) are prosecuted by federally appointed counsel.

In 1996/97, the two levels of government together spent \$265 million providing criminal prosecution services (see Table 2). This is equivalent to \$9 for every Canadian. More than three-quarters (77%) of the money was spent on salaries, wages and benefits. Another 11% was spent on private lawyers. The remaining 12% was spent on other operating expenditures, for example, the cost of witnesses, law libraries/publications, staff training and office expenses. Spending was up 3% from 1994/95, the only previous year for which data were collected. However, constant dollar per capita spending dropped by 3% to \$8. This downward movement in spending mirrors declines in the crime rate and court caseloads that were mentioned previously.

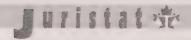
On a per capita basis, most provinces spent a similar amount (\$7) on prosecution services in 1996/97 (see Table 3). (The federal government provides prosecution services for the territories so separate figures are not available.) Variations that do exist can result from a number of factors, including differing responsibilities; higher transportation costs (in provinces with a large or difficult area to cover); and higher costs for complex cases (which can have a noticeable effect in smaller provinces). From 1994/95 to 1996/97, there was a wide range of changes in per capita constant dollar spending by the provinces, from -19% for Newfoundland to +12% for Prince Edward Island.

#### Adult Corrections<sup>23</sup>

Correctional services implement the sentences imposed by the courts, with the exception of collecting fines. Adult correctional agencies deal with offenders who were 18 years or older at the time of the offence. There are three distinct types of offenders in the correctional population: prisoners on remand awaiting a court appearance, offenders sentenced to custody, and offenders serving all or part of their sentences in the community, for example on supervised probation or parole. Some of the duties performed by corrections personnel include: preparing pre-sentence reports; assessing the needs of offenders, for example, for drug treatment; arranging for treatment; monitoring inmates and their visitors; moving inmates; providing individual and group counselling; developing and using rehabilitation resources; and appearing as witnesses.

Once again, responsibility for correctional services is split between the federal and provincial/territorial governments. The federal sector is responsible for all offenders serving a sentence of two years or more. The provincial sector is responsible for inmates serving less than two years, for persons being held on remand and for persons sentenced to community-based sanctions. As well, the National Parole

<sup>23</sup> Because the spending data for youth corrections are based on estimates, no detailed analyses are presented.



Board makes decisions about parole for all federal inmates and for provincial/territorial inmates in all jurisdictions except Quebec, Ontario, and British Columbia. These three provinces have their own parole boards.

In 1997/98, just over \$2 billion or \$69 per person was spent on adult corrections in Canada (see Table 2). The costs were almost evenly split, with 49% going towards federal corrections and 51% to provincial corrections. This split has been very consistent in recent years. It is estimated that 65% of spending on federal corrections and 79% of spending on provincial corrections was for wages, salaries and benefits. Based on the type of service, the breakdown in spending was 79% for custodial services, followed by 10% for community correctional services, 9% for headquarters services and 2% for parole services. The cost of keeping an inmate in custody in Canada averaged \$128 per day in 1997/98, or about \$47,000 for the year.

Corrections spending for the year was up by 6%, with both federal and provincial corrections registering similar increases. Compared with 1992/93, overall spending was up 11%, with the main source of the increase being federal (+20%), not provincial corrections (+3%). Part of the reason for this increased spending is likely the result of an increased caseload. The average number of offenders in adult custodial facilities fell 3% in 1997/98, but this was the first decline in more than 10 years. Compared to 1992/93, the average number of offenders in custody was up 4% in 1997/98. The number of adults under community supervision is also up. particularly with the introduction of conditional sentencing in 1996.24 In 1997/98, the average number of adults under community supervision was up 8% from the year before and 10% from 1992/93. When spending figures are adjusted for inflation and changes to the population, overall corrections

expenditures were up 3% in 1997/98, but down 3% from five years before (see Figure 3).

The cost of provincial/territorial corrections in 1997/98 ranged from a low of \$22 per capita in Quebec to a high of \$253 in Yukon (see Table 3). Per capita constant dollar spending was up 2% from the year before, due primarily to increases in Ontario. Variations in provincial/territorial correctional statistics offer some explanation for the difference in spending figures across the country. For example, the rate of persons sentenced to custody ranged from a low of 548 per 10,000 adults charged in Manitoba to a high of 4,741 in the Northwest Territories; the rate of persons sentenced to probation ranged from 728 per 10,000 adults charged in Quebec to 4,662 in the Northwest Territories; and the median duration of custody ranged from 15 days in New Brunswick to 115 days in Manitoba.

#### How does justice spending vary across Canada?25

Spending on justice services in the provinces and territories in 1996/97 was highest in the territories with the Northwest Territories spending \$857 per person and Yukon spending \$670 (see Table 4). Among the provinces, Newfoundland had

With conditional sentencing, a judge, after imposing a term of imprisonment of less than two years, may order the offender to serve the sentence in the community under supervision, provided certain conditions, such as reporting to a probation officer, are met.

25 Provincial/territorial spending figures include, where possible, all spending that was incurred in the jurisdiction, regardless of whether it was paid for by the federal or provincial/territorial government. Thus, spending on courts includes the salaries of superior court judges, which are paid by the federal government and spending on legal aid includes federally funded expenditures. One cost that is not included in provincial/territorial spending is federal corrections because it is not possible to apportion that spending among the jurisdictions.

Table 4



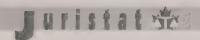
#### Spending on Justice Services in the Provinces and Territories¹

|                       | 199        | 94/95                    | 199        | 16/97                   | % change<br>in constant \$ |
|-----------------------|------------|--------------------------|------------|-------------------------|----------------------------|
|                       | Per capi   | ta spending <sup>2</sup> | Per capit  | a spending <sup>2</sup> |                            |
|                       | current \$ | constant \$3             | current \$ | constant \$3            |                            |
| Newfoundland          | 187        | 182                      | 175        | 165                     | -9.3                       |
| Prince Edward Island  | 162        | 159                      | 180        | 171                     | 7.4                        |
| Nova Scotia           | 194        | 189                      | 197        | 186                     | -1.7                       |
| New Brunswick         | 181        | 178                      | 180        | 172                     | -3.3                       |
| Quebec                | 240        | 240                      | 243        | 235                     | -3.3<br>-2.2               |
| Ontario               | 273        | 268                      | 264        | 249                     | -2.2<br>-7.1               |
| Manitoba              | 224        | 215                      | 236        | 216                     |                            |
| Saskatchewan          | 235        | 224                      | 229        | 210                     | 0.4<br>-6.2                |
| Alberta               | 213        | 207                      | 201        | 187                     | -0.2<br>-9.6               |
| British Columbia      | 242        | 229                      | 238        | 219                     |                            |
| Yukon                 | 719        | 689                      | 670        | 623                     | -4.5                       |
| Northwest Territories | 849        | 820                      | 857        | 792                     | -9.6                       |
| Total                 | 247        | 242                      | 243        | 229                     | -3.4<br>- <b>5.2</b>       |

Includes spending on policing, courts, legal aid, adult corrections and prosecutions as described in Table 3.

The population estimates used to calculate per capita figures are provided by Statistics Canada, Census and Demographic Statistics, Demography Division. Populations as of July 1st: final intercensal estimates for 1994 and final postcensal estimates for 1996.

In order to create constant dollar figures with the effects of inflation removed, figures were converted to a base of 1992=100 using Statistics Canada's Consumer Price Index.
Sources: Statistics Canada, Canadian Centre for Justice Statistics, Police Administration Annual Survey; Courts Resources, Expenditures and Personnel Survey; Criminal Prosecutions Resources, Expenditures and Personnel Survey; Legal Aid Survey; and Adult Correctional Services Survey.



the lowest per capita spending at \$175 and Ontario had the highest at \$264.26 Spending patterns have been fairly similar in most jurisdictions. Between 1994/95 and 1996/97, per capita constant dollar spending decreased everywhere except Manitoba, where there was virtually no change, and Prince Edward Island, where spending was up 7.4%.

There is some variation in how provinces and territories spend their justice dollar. For example, in 1996/97, 42% of Yukon's expenditures were directed at policing, while for Quebec, the figure was 73% (see Table 5).

#### Who is employed in the justice system?

In 1996/97, 119,582 persons were employed in the justice system, that is, by the police, courts, legal aid plans, criminal prosecutions and adult corrections (see Table 6).27 Over half (62%) of these people were employed in policing, followed by adult corrections at 23%, courts (10%), prosecutions (3%) and legal aid plans (2%). These proportions are guite similar to those for overall spending (when youth corrections is excluded), a fact that is not surprising given that salaries, wages and benefits account for roughly three-quarters of expenditures. Not all of the people that work in the justice system are paid employees – a significant number of people volunteer their time (see Box 6).

The number of justice employees was down slightly in 1996/ 97, by just under 1% from 1994/95. In per capita terms, the decrease was larger. There were 403 employees in the justice system in 1996/97 for every 100,000 persons in Canada, a decline of 3% from two years before. Over a longer time frame, excluding prosecutions staff (because figures aren't available), there has also been a decline in personnel. From 1992/93 to 1996/97, the number of employees declined 3% in absolute terms and 7% in per capita terms. The shrinking size of the justice sector workforce may partially explain how governments have reduced spending on justice services in recent years. The declines in justice system employment have been less severe than in the public sector overall. The public sector in Canada employed 2.9 million people in 1996, down 10% in per capita terms from what it was in 1992.

#### Policing

There were 74,398 persons employed in policing services in 1997/98 - 54,719 officers and 19,679 civilian staff (see Table 6).28 This represented a slight increase (less than 1%) from the previous year, the first such increase since 1992/93. The ratio of police officers to civilian staff was 2.8 to 1 in 1997/98, a figure that has been stable for the past decade.

Similar to total employees, the number of police officers increased slightly (less than 1%) in 1997/98. However, the number of police officers per capita declined for the sixth consecutive year to 182 police officers per 100,000 population,

<sup>26</sup> These figures include spending on policing, courts, legal aid, adult corrections and prosecutions, but not youth corrections. The figures for Yukon and the Northwest Territories do not include prosecutions spending.

<sup>27</sup> Employment figures for youth corrections are not currently available. Except for the legal aid sector, employment figures are based on full-time employees. Part-time employees are converted to a full-time equivalent. Personnel figures for the legal aid sector are based on the actual number of employees as of March 31.

<sup>28</sup> Readers are reminded that, although police data are published on a calendar year basis, they are expressed in this report on a fiscal year basis to be

consistent with the other data sources.

Table 5



#### Distribution of Spending on Justice Services in the Provinces and Territories, 1996/97

|                       | Police <sup>1</sup> | Courts <sup>2</sup> | Legal Aid           | Prosecutions <sup>3</sup> | Adult<br>Corrections <sup>4</sup> |
|-----------------------|---------------------|---------------------|---------------------|---------------------------|-----------------------------------|
|                       |                     |                     | % of total spending |                           |                                   |
| Newfoundland          | 56                  | 15                  | 6                   | 4                         | 19                                |
| Prince Edward Island  | 56                  | 17                  | 2                   | 3                         | 22                                |
| Nova Scotia           | 57                  | 19                  | 6                   | 5                         | 14                                |
| New Brunswick         | 68                  | 13                  | 3                   | 3                         | 13                                |
| Quebec                | 73                  | 9                   | 6                   | 2                         | 9                                 |
| Ontario               | 66                  | 9                   | 9                   | 3                         | 14                                |
| Manitoba              | 61                  | 14                  | 6                   | 3                         | 16                                |
| Saskatchewan          | 61                  | 11                  | 4                   | 3                         | 21                                |
| Alberta               | 65                  | 14                  | 4                   | 3                         | 13                                |
| British Columbia      | 52                  | 14                  | 10                  | 6                         | 17                                |
| Yukon                 | 42                  | 18                  | 4                   |                           | 36                                |
| Northwest Territories | 47                  | 15                  | 9                   | **                        | 28                                |
| Average               | 59                  | 14                  | 6                   | 3                         | 19                                |

Excludes federal spending on the RCMP. Also, provincial/territorial expenditures on RCMP contracts reflect only the cost billed to the province/territory or municipality and not the total cost of the contract or any additional policing costs.

Excludes spending on federal courts and administrative costs for the Office of the Commissioner for Federal Judicial Affairs.

Excludes Justice Canada spending, including prosecution costs for Yukon and the Northwest Territories. Also excludes prosecution costs for Quebec municipal courts estimated to represent 20% of the Quebec workload.

Excludes spending on federal corrections

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Police Administration Annual Survey; Courts Resources, Expenditures and Personnel Survey; Criminal Prosecutions Resources, Expenditures and Personnel Survey; Legal Aid Survey; and Adult Correctional Services Survey.

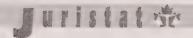


Table 6



#### Employees of the Justice System<sup>1</sup>

|   | 199                                       | 92/93                       | 19  | 93/94                       | 19  | 94/95                       | 19  | 95/96                       | 199                                       | 96/97                       | 199                                       | 1997/98                    |  |
|---|---|-----------------------------|---|-----------------------------|---|-----------------------------|---|-----------------------------|---|-----------------------------|---|----------------------------|--|
|   | Total                                     | Per<br>100,000 <sup>2</sup> | Total                                     | Per 100,000 <sup>2</sup>   |  |
| Police<br>Officers<br>Civilians   | <b>77,051</b> 56,992 20,059               | <b>272</b><br>201<br>71     | <b>76,857</b> 56,901 19,956               | <b>268</b><br>198<br>70     | <b>75,351</b> 55,859 19,492               | <b>260</b><br>192<br>67     | <b>74,267</b> 55,008 19,259               | <b>253</b><br>187<br>66     | <b>73,926</b> 54,323 19,603               | <b>249</b><br>183<br>66     | <b>74,398</b> 54,719 19,679               | <b>248</b><br>182<br>66    |  |
| Courts <sup>3</sup>   | 12,101                                    | 43                          | 12,028                                    | 42                          | 11,954                                    | 41                          | 11,934                                    | 41                          | 11,914                                    | 40                          | ,   |                            |  |
| Legal Aid Plans <sup>4</sup><br>Lawyers<br>Non-lawyers                        | <b>2,746</b><br>952<br>1,794              | 10<br>3<br>6                | <b>2,894</b><br>981<br>1,913              | <b>10</b><br>3<br>7         | <b>3,023</b><br>1,034<br>1,989            | 10<br>4<br>7                | <b>2,960</b> 1,038 1,922                  | 10<br>4<br>7                | <b>2,932</b> 1,040 1,892                  | 10<br>4<br>6                | <b>2,878</b> 1,015 1,863                  | 10<br>3<br>6               |  |
| Adult Corrections Custodial Non-Custodial Headquarters Parole Boards          | 28,327<br>22,608<br>3,333<br>1,932<br>454 | 100<br>80<br>12<br>7<br>2   | 26,840<br>21,725<br>3,087<br>1,559<br>469 | 94<br>76<br>11<br>5         | 27,103<br>22,099<br>3,154<br>1,394<br>456 | 93<br>76<br>11<br>5<br>2    | 28,577<br>23,330<br>3,338<br>1,505<br>404 | <b>97</b><br>79<br>11<br>5  | 27,680<br>22,626<br>3,019<br>1,638<br>397 | 93<br>76<br>10<br>6         | 27,475<br>22,285<br>3,069<br>1,710<br>411 | <b>92</b><br>74<br>10<br>6 |  |
| Sub-total   | 120,225                                   | 424                         | 118,619                                   | 413                         | 117,431                                   | 404                         | 117,738                                   | 401                         | 116,452                                   | 392                         |   | '                          |  |
| Prosecutions <sup>3</sup> Staff Lawyers Prosecutorial Support Other Personnel |   |                             | **  | **                          | 3,199<br>1,825<br>207<br>1,167            | 11<br>6<br>1<br>4           | 3,165                                     | 11                          | 3,130<br>1,825<br>150<br>1,155            | 11<br>6<br>1                |   |                            |  |
| Total <sup>1</sup>  | ***                                       | ***                         | ***                                       | ***                         | 120,630                                   | 415                         | 120,903                                   | 412                         | 119,582                                   | 403                         |   | •••                        |  |

<sup>..</sup> figures not available

#### Box 6

#### Volunteers in the justice system

Justice spending surveys measure the wages and benefits paid to individuals who are employed in the justice sector. However, what cannot be easily measured is the value of work performed by the many individuals who volunteer their time, energy, and abilities to a variety of justice organizations.

Individuals who volunteer within the justice system may occupy a variety of positions. There are volunteers working in community policing whose duties range from taking reports on vandalism or theft, to being involved in crime prevention activities such as home security evaluations and Neighbourhood Watch programs; there are volunteers working in community supervision programs who supervise offenders on probation or parole; and there are volunteers working with offenders in custody, assisting with counselling, participating in offender assessment, and offering discharge planning assistance. Other volunteer positions are found in advocacy, intervention, policy and research. For instance, the RCMP Crime Prevention/Victim Services Branch has volunteers who are involved in the research and development of programs and policy concerning community policing and victim services.

According to Statistics Canada's 1997 National Survey of Giving, Volunteering and Participating (NSGVP), approximately 7.5 million Canadians volunteered their time and skills to groups and organizations across the country in a one-year period between November 1, 1996 and October 31, 1997. Of these volunteers, there were 157,516 (2%) who volunteered in law and justice organizations. This includes organizations and agencies that deal with offenders and/or ex-offenders (e.g., halfway houses, probation and parole), crime prevention strategies (e.g., missing children, Mothers Against Drunk Drivers), legal aid and legal guidance centres, and other law and justice-related organizations. Those volunteering in law and justice organizations contributed more than 16.6 million hours of service. This is equivalent to about 8,660 full-time employees (assuming 40 hours per week for 48 weeks per year).

Compared to results from Statistics Canada's 1987 Volunteer Activity Survey, the number of volunteers giving their time to law and justice organizations in 1997 was up 44% from 109,206 in 1987. However, there was a dramatic decline (56%) in the total number of hours contributed. In 1987, justice volunteers contributed almost 37.5 million hours, the equivalent of 19,510 full-time employees.

In addition to receiving donations in the form of volunteer time, organizations receive charitable donations from individuals. Results from the 1997 NSGVP indicate that law and justice organizations received over \$200 million in direct financial support, accounting for a small fraction of the estimated \$4.5 billion given to charitable and non-profit organizations in Canada.

Sources: Statistics Canada, 1997 National Survey of Giving, Volunteering and Participating (NSGVP). Statistics Canada, 1987 Volunteer Activity Survey (VAS).

<sup>...</sup> figures not appropriate or not applicable.

<sup>1</sup> Excludes youth corrections. Except for legal aid personnel, all counts are based on full-time equivalents. Legal aid figures represent the actual number of employees as of March 31.
2 The population estimates used to calculate the rates are provided by Statistics Canada, Census and Demographic Statistics, Demography Division. Populations as of July 1st: final

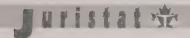
intercensal estimates for 1992 to 1995; final postcensal estimates for 1996, and updated postcensal estimates for 1997.

In order to make annual comparisons, the number of court employees for 1993/94 and 1995/96 has been estimated based on the average between the reporting years preceding and

following the reference period. Prosecutions personnel for 1995/96 were estimated in a similar manner.

Does not include the number of private lawyers who provided legal aid services.

Sources: Canadian Centre for Justice Statistics, Police Administration Annual Survey; Courts Resources, Expenditures and Personnel Survey; Criminal Prosecutions Resources, Expenditures and Personnel Survey; Legal Aid Survey; and Adult Correctional Service Survey.



the lowest level since 1971/72. Between 1990/91 and 1997/98, Canada's population grew by 8% while the number of police officers decreased 2%.

Although, there was just a slight increase in the total number of police officers in 1997/98, there was an 8% increase in the number of female officers to 6,091. Since the mid-1970s, the number of female officers has increased steadily. Back in the 1960s and early 1970s female officers numbered fewer than 200 and made up less than 1% of the total. In 1997/98, females represented 11% of all officers. The number of male officers has been moving in the opposite direction. In 1997/98, they numbered 48,628, down slightly (less than 1%) from the year before.

In 1997/98, the majority of police officers (64%) provided municipal policing services (including RCMP and Ontario Provincial Police municipal contracts). Another 25% provided provincial policing services (including RCMP provincial policing contracts), while RCMP federal police officers accounted for 8% of police officers. The remaining 3% of officers were RCMP personnel, primarily administrative.

Yukon and the Northwest Territories had the largest number of police officers per capita in 1997/98 (see Table 7). Among the provinces, Manitoba had the most police officers, at 196 per 100,000 population. Newfoundland, with a figure of 143, had the fewest officers per capita.

In 1997/98, the number of civilian personnel increased for the second consecutive year, although the increase was quite small (see Table 6). The count of civilian staff has been relatively stable since 1987/88, after more than tripling during the previous 25-year period. On a per capita basis, civilian personnel numbered 66 per 100,000 population in 1997/98, unchanged for the third straight year.

#### Courts

In 1996/97, 11,914 people were employed in the Canadian court system (see Table 6). This represented a slight decrease (less than 1%) from 1994/95, the previous reporting period. In fact, the number of employees has declined steadily since 1992/93, both in number and on a per capita basis.

#### Legal Aid

In 1997/98, there were 2,878 legal aid plan workers employed in Canada – 1,015 lawyers and 1,863 non-lawyers (see Table 6). This represented a decrease of 2% from 1996/97. The total number of employees in legal aid offices increased steadily from 1983/84 to 1993/94, after which it remained reasonably stable before starting to decrease in 1995/96. On a per capita basis, the number of workers has been constant for the last few years.

Lawyers accounted for 35% of the legal aid plan staff in 1997/98, a figure that has been reasonably stable since 1983/84. The remaining 65% of personnel included administrative staff, law students, paralegals, accountants, research staff, librarians and others.

The staffing of legal aid plans depends on the delivery system that is used. Newfoundland, Prince Edward Island, Nova

Table 7

#### Justice System Employees in the Provinces and Territories, by Sector<sup>1</sup>

|                       |        | Police <sup>2</sup>      |       | Legal Aid                | Adul   | Adult Corrections <sup>3</sup> |       | osecutions4              |
|-----------------------|--------|--------------------------|-------|--------------------------|--------|--------------------------------|-------|--------------------------|
|                       | total  | per 100,000 <sup>5</sup> | total | per 100,000 <sup>5</sup> | total  | per 100,000 <sup>5</sup>       | total | per 100,000 <sup>5</sup> |
| Newfoundland          | 794    | 143                      | 102   | 18                       | 283    | 51                             | 50    | 9                        |
| Prince Edward Island  | 204    | 149                      | 7     | 5                        | 93     | 68                             | 12    | 9                        |
| Nova Scotia           | 1,624  | 174                      | 119   | 13                       | 484    | 52                             | 120   | 13                       |
| New Brunswick         | 1,304  | 173                      | 35    | 5                        | 382    | 51                             | 56    | 7                        |
| Quebec                | 13,768 | 188                      | 854   | 12                       | 2,860  | 39                             | 601   | 8                        |
| Ontario               | 20,260 | 180                      | 958   | 9                        | 5,785  | 51                             | 895   | 8                        |
| Manitoba              | 2,230  | 196                      | 129   | 11                       | 659    | 58                             | 99    | 9                        |
| Saskatchewan          | 1,872  | 183                      | 132   | 13                       | 837    | 82                             | 110   | 11                       |
| Alberta               | 4,478  | 158                      | 121   | . 4                      | 1,374  | 48                             | 252   | 9                        |
| British Columbia      | 6,742  | 170                      | 368   | 9                        | 2,049  | 52                             | 657   | 17                       |
| Yukon                 | 122    | 378                      | 9     | 28                       | 131    | 406                            |       |                          |
| Northwest Territories | 246    | 363                      | 44    | 65                       | 190    | 280                            |       |                          |
| Total                 | 53,644 | 179                      | 2,878 | 10                       | 15,127 | 50                             | 2,851 | 10                       |

<sup>..</sup> figures not available

<sup>&</sup>lt;sup>1</sup> Figures for the courts sector are not available. Personnel figures for the prosecutions sector are for 1996/97, while those for the other 3 sectors are for 1997/98. Except for legal aid personnel, all counts are based on full-time equivalents. Legal aid figures represent the actual number of employees as of March 31.

<sup>&</sup>lt;sup>2</sup> Includes police officers, except those at RCMP Headquarters and Training Academy. Civilian employees are excluded.

<sup>3</sup> Excludes employees working in federal corrections.

Excludes Justice Canada personnel, including those responsible for prosecution services in Yukon and the Northwest Territories.

The population estimates used to calculate per capita figures are provided by Statistics Canada, Census and Demographic Statistics, Demography Division. Populations as of July 1st: final postcensal estimates for 1996 and updated postcensal estimates for 1997.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Police Administration Annual Survey; Courts Resources, Expenditures and Personnel Survey; Criminal Prosecutions Resources, Expenditures and Personnel Survey; Legal Aid Survey; and Adult Correctional Services Survey.

# Juristat B

Scotia, and Saskatchewan use primarily staff lawyers to deliver legal aid services; Ontario and Alberta use primarily private lawyers; and the remaining provinces and the territories use both. 29 The different delivery systems partially explain the ranking of the provinces and territories in terms of the number of legal aid employees per 100,000 population (see Table 7). Alberta, which uses private lawyers, had 4 legal aid plan employees per 100,000 population in 1997/98, the lowest rate. Northwest Territories, which utilizes private and staff lawyers, had the highest rate at 65. Other factors, as discussed in relation to spending, include characteristics of the plans, such as services provided and eligibility requirements.

In addition to the staff of legal aid plans, a total of 12,907 private lawyers provided legal aid services in 1997/98. This number was down 14% from the previous year.

#### **Criminal Prosecutions**

Criminal prosecution branches employed 3,130 people<sup>30</sup> in 1996/97, a 2% decrease from 1994/95, the other year for which data are available (see Table 6). Over the same period, the number of employees per capita remained stable, at 11 per 100,000 population.

Several types of employees work in prosecution services, including staff lawyers; prosecutorial support staff such as paralegals, police and law students; and "other" personnel, primarily administrative and clerical support staff. In 1996/97, the majority (58%) of employees working in prosecution services were employed as staff lawyers. Following this was "other" personnel, accounting for 37%, while prosecutorial support staff accounted for the remaining 5% of employees. This distribution was similar to that for 1994/95.

Within prosecution services there are notable gender differences across the different types of employees. In 1996/97, women were under-represented among the staff lawyers, accounting for just over one-third (36%) of all permanent and contract lawyers employed by criminal prosecution branches. However, they were over-represented in both of the other employment categories, accounting for 61% of the prosecutorial support staff and 92% of "other" personnel. The low percentage of women among staff lawyers, is likely related to the low percentage of women lawyers in Canada. According to data from the 1996 Census, women made up 31% of lawyers and notaries in Canada.

On a per capita basis, the province of British Columbia employed the most prosecutions staff, with 17 employees per 100,000 population in 1996/97 (see Table 7). New Brunswick had the fewest, at 7 prosecutions employees per 100,000 population, but a number of provinces had figures similar to this. (Separate figures are not available for the territories.)

Although at the national level the number of prosecutions employees changed very little between 1994/95 and 1996/97, some fluctuation did occur within the jurisdictions. For instance, Ontario (-15%), Newfoundland (-11%) and Alberta (-2%) each reported decreases in the number of criminal prosecutions personnel in 1996/97. These decreases are consistent with the decreases in overall criminal prosecutions

expenditures in these provinces. Increases in the number of personnel were reported in Nova Scotia (13%), Justice Canada (10%), British Columbia (8%), and Saskatchewan (7%).

#### **Adult Corrections**

In 1997/98, there were 27,475 persons employed in adult correctional agencies (see Table 6). Similar to the courts sector, this figure represented a slight decrease (less than 1%) from the previous year. The total number of employees in adult corrections has fluctuated since 1992/93, reaching a high of 28,577 in 1995/96 and a low of 26,840 in 1993/94. On the other hand, over the same period, the number of employees per capita dropped every year but one. Corrections employees numbered 92 per 100,000 population in 1997/98, down 8% from 1992/93.

There are four main types of employment within adult correctional agencies: custodial services, non-custodial services, headquarters, and parole board. Those employed in custodial services, for example prison guards, work directly in custodial facilities. Employees working in non-custodial services, such as probation and parole officers, are involved with community programs. Headquarters includes employees working at the head offices of federal and provincial agencies responsible for correctional services (e.g. Correctional Service Canada), while parole board includes members of the four parole boards in Canada plus their support staff.

In 1997/98, the majority (81%) of employees working in adult correctional agencies were working in custodial services. Non-custodial employees accounted for 11%, followed by headquarters (6%) and parole board employees (1%). This distribution has been relatively consistent for the past decade.

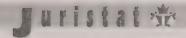
One of the main reasons for the fluctuation in corrections staff over the last few years is the fluctuation in custodial staff, who represent the majority of corrections employees. There were 22,285 custodial employees in 1997/98, about the same as the number in 1992/93. This is despite the fact that the average daily count of inmates in custodial facilities was up 4% over the period. The number of employees working in non-custodial services has also fluctuated over the last 5 years: in 1997/98 there were 3,069 employees down 8% from 5 years earlier. In comparison, the average daily count of adults in community-based sanctions increased 10% over the period, much of it due to the introduction of conditional sentencing in 1996.

An examination of those employees working in provincial corrections, indicates that Yukon and the Northwest Territories have the highest rate of workers, at 406 and 280 workers per 100,000 population, respectively (see Table 7). The lowest rate (39) was in the province of Quebec.

31 See The Nation Series. [1996 Census on CD-ROM]. Catalogue no. 93F0020XCB.

<sup>29</sup> New Brunswick uses primarily private lawyers for criminal legal aid. For civil legal aid, the province uses private lawyers working under contract for the provincial Department of Justice

<sup>30</sup> Includes Justice Canada prosecutors, who have responsibility to prosecute cases in the territories and cases involving federal offences. Permanent parttime employees have been converted to a full-time equivalent.



#### **Data Sources**

#### **Adult Correctional Services (ACS) Survey**

The Adult Correctional Services Survey is designed to collect information on adult offenders 18 years of age and over. The survey encompasses both institutional corrections and community corrections (offenders in the community on probation or some form of conditional release) in both the provincial/territorial and federal corrections sectors. Information is collected on the cost, resources, and personnel required to maintain the correctional system in Canada. Capital costs are not included. The survey is conducted annually.

# Courts Resources, Expenditures and Personnel Survey

The Courts Resources, Expenditures and Personnel Survey provides administrative information on the Canadian court process and its costs. The survey collects aggregate expenditure and personnel information from all provinces and territories and the four federal jurisdictions, which are the Supreme Court of Canada, the Federal Court of Canada, the Tax Court of Canada and the Office of the Commissioner for Federal Judicial Affairs. This survey is updated biennially.

# Criminal Prosecutions Resources, Expenditures and Personnel Survey

The Criminal Prosecutions Resources, Expenditures and Personnel Survey provides information on personnel (e.g. lawyers, paralegals, management) and the costs (e.g. wages, training, operating expenditures) associated with the delivery of criminal prosecutions services in Canada. Data are collected from all provinces and from Justice Canada, which has responsibility for prosecution services in Yukon and the Northwest Territories, as well as prosecutions under federal statutes. In the case of Quebec, data on the delivery of prosecution services are not available for municipal courts. (It is estimated that 20% of federal statute charges in Quebec are heard in municipal courts). The survey, which began in 1994/95, is conducted every second year.

#### Financial Management System (FMS)

Statistics Canada's Financial Management System provides time series data on government spending. The FMS standardizes the presentation of government financial information and employs a consolidation process. In consolidation, intergovernmental transfers are eliminated so that an accurate picture of total government spending can be obtained.

The FMS monitors spending on three broad categories of justice services related to the protection of persons and property – policing, courts of law, and corrections and rehabilitation. It should be noted that the figures provided by the FMS are not equivalent to those produced by CCJS surveys due to differences in data sources, definitions, coverage and methodology.

#### **Legal Aid Survey**

The annual Legal Aid Survey has been in operation since 1984. Among other things, it measures expenditures and personnel associated with the delivery of legal aid services in Canada. Expenditures include money spent on the provision of legal services, e.g. staff salaries and benefits and private lawyers' fees and disbursements. Expenditures also include money spent on legal research activities and head office functions. Personnel include lawyers and non-lawyers who provide legal advice and/or representation directly to clients, plus other staff, such as accountants, librarians and clerical workers.

#### **Police Administration Annual Survey**

The Police Administration Annual Survey collects national statistics on personnel and expenditures from municipal, provincial and federal police forces. Personnel counts are based on permanent, full-time equivalents; part-time employees are converted to full-time equivalents (e.g. 4 employees working 10 hours per week would equal 1 full-time employee). Expenditures are based on operating costs and include: salaries and wages, benefits and other expenses such as accommodation costs. Capital costs are not included.

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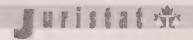
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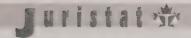
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#### YOUTH VIOLENT CRIME

By Josée Savoie

#### HIGHLIGHTS

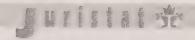
- In 1998, 106,984 youths aged 12 to 17 were charged with a *Criminal Code* offence. One in five youths were charged with a violent crime.
- Despite recent declines, the rate of youths charged with violent crimes is 77% higher than it was a decade ago. For adults, this increase was only 6%.
- Over the past decade, the rate of female youths charged has increased twice as fast (+127%) as for male youths (+65%). This same pattern is also true for adults: the violent crime rate for women has increased 47% compared to a 2% increase for men.
- The violent crime rate of female youths (47 charges per 10,000 female youths) was still only one-third the rate of male youths (131 charges per 10,000 male youths) in 1998. For adults this gap was even wider. The violent crime rate for women was one-sixth that of men.
- For violent crime, two-thirds of female youths were charged with common assault compared to just under half (46%) of male youths. Male youths tended to be involved in more serious violent crimes such as robbery and major assault than female youths.
- There are significant differences in the violent crime rates for youths across the country. In 1998, Prince Edward Island (50 youths charged per 10,000 youths) and Quebec (54) had the lowest rates, while the Northwest Territories (191), Manitoba (153), Yukon (143) and Saskatchewan (134) had the highest rates. However, some of these differences could be explained by different charging practices for youths in place among the jurisdictions.
- Female youths committing violent crime tended to be younger than male youths. For males, the violent crime rate increased gradually with age, peaking at 17. For females, the rate peaked at ages 14 and 15.
- Youths tend to victimize young people of about the same age who are known to them. Six in ten violent crime victims were acquaintances of the accused youth. Over half (52%) of the victims were youths themselves. Only 2% of victims of youth violent crime were aged 55 years and over in 1998.



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December 1999 Catalogue no. 85-002-XPE ISSN 0715-271X Catalogue no. 85-002-XIE ISSN 1209-6393

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#### Introduction

In recent years, the media have reported several cases of extreme violence involving young offenders between the ages of 12 and 17 years. These highly publicized cases may have contributed to the increased concern of Canadians about violent crime committed by young people and, recently, by female youths.

In the context of these highly publicized cases, the decrease in the level of tolerance of violence and the desire to respond to the concerns of Canadians, some amendments were made in 1995 to the *Young Offenders Act* (YOA) of 1984. Canadian legislators are presently studying the *Youth Criminal Justice Act*. The bill is intended to replace the 1984 YOA. It includes specific provisions to respond to violent crimes by youth.

#### 1995 amendments to the Young Offenders Act

The 1995 amendments were intended to address the problem of increased violent crime and the public's perception that sentences were too lenient. The amendments represented a major change in direction: the primary goal became protection of society.

The provisions regarding transfer to adult court were also reviewed. Previously, all youths 14 years and older charged with a serious offence (criminal) could be transferred to an adult court. Now, in addition to that provision, all youths aged 16 and 17 years charged with very serious violent crimes, such as homicide and attempted murder, are automatically transferred to an adult court, unless the person charged can convince the judge during a hearing that the proceedings should take place before a youth court. These amendments also increased the maximum sentences in youth court for first degree murder to 10 years and for second degree murder to seven years.

#### Youth Criminal Justice Bill

The purpose of this bill is to establish guiding principles to direct the work of judges and other parties in the youth justice system. It clearly states that the principal goal is to protect society by preventing crimes, by imposing sentences that are appropriate and proportionate to the crime committed, and by rehabilitating young persons.

The Youth Criminal Justice Act contains provisions to deal differently with first-time young offenders (low-risk non-violent youths) than with violent and repeat offenders. In fact, in the case of first-time young offenders, the use of extrajudicial solutions, such as alternative measures, will be encouraged while the range of offences punishable by the same sentences as for adults will be expanded to respond to violent and repeat offenders. In addition, the age at which a young offender may receive an adult sentence will be lowered to include youths 14 and 15 years and it will be possible to publish the names of young offenders who receive this type of sentence provided the judge does not rule otherwise.

The purpose of this report is to measure the scope of violent crime by female and male youths at the national and provincial levels and in selected metropolitan areas, to determine the degree of change observed between 1988 and 1998, to identify the characteristics of violent crime by youths and to compare it to that of adults and to create a portrait of violent young offenders (male and female) and their victims. To this end, police-reported data from the Uniform Crime Reporting (UCR) Survey have been used.

This *Juristat* will address the following questions: Are youths more violent than adults? Are female youths becoming more violent? Are there differences in the types of violent crime being committed by male and female youths? How do the characteristics of violent youth crime differ from violent crime committed by adults?

# The factors influencing aggressiveness in children are similar to those influencing delinquency

There are certain factors that most experts will agree influence delinquency. Factors that play a crucial role in the development of children include individual characteristics, family, friends, school, and social and economic environment. These factors impact

the lives of young people long before they have their first official run-ins with the law. Research tends to show that young people do not become violent overnight. Indeed, numerous studies have found that violent youths were also the most aggressive children.

The National Longitudinal Survey of Children and Youth (NLSCY), conducted jointly by Statistics Canada and Human Resources Development Canada, looks at the environmental factors that are widely recognized as influencing the development of children, including the aggressiveness component.<sup>2</sup> The results on aggressiveness of children reveal that the vast majority of children (between 90% and 98%) do not have an aggressiveness problem. According to the results of the first cycle (1994-95), children aged 27 to 29 months are the most aggressive. Indeed, 53% of boys and 41% of girls in this age group were found to bite, hit or kick sometimes or often. However, by age 11, only 14% of boys and 8% of girls displayed such behaviour; it appears that the majority of children benefited from the favourable socialization factors in their environment.

During the second cycle (1996-97), more than four youths in ten aged 12 and 13 years who were surveyed "...reported having threatened to beat someone up or having been in a fight, but with no serious injuries. Far fewer adolescents (6%) reported they were in a fight in which there were injuries that needed care. About 55% of boys reported having been in a fight, twice as high as the rate for girls (27%)." Among the youths who had been in a fight without serious injury, slightly more than one in ten indicated that it had happened three or more times over a 12-month period. Youths 10 and 11 years of age who had displayed a higher degree of aggressiveness were four times more likely to have displayed aggressive behaviour at age 12 and 13 years.

The NLSCY show that aggressive children are more likely to live in a low socio-economic stratum, where there is unemployment, high levels of family violence, and ineffective parenting skills. It appears that aggressive children also display other behavioural problems, such as hyperactivity. The survey results also revealed that there is a socio-economic gradient for aggressive physical behaviour that is evident beginning at 3 years of age and which does not change with age. It follows that learning to control one's own behaviour before reaching school age may be an important factor in school success, adapting to the work environment and health. Aggressiveness can be a major impact in school dropout rates, unemployment, depression, anxiety and criminal activity.

In summary, the factors likely to influence criminal behaviour in youths are very similar to the factors that influence aggressive behaviour in children. However, it is not possible to determine from the research definitive links between aggressiveness in children and delinquency, even though several parallels can be drawn. The upcoming NLSCY surveys should provide clarifications on youths in these risk situations.

#### Trends in youth violent crime

# Youths commit proportionally less violent crime than adults

The number of youths aged 12 to 17 years charged with a Criminal Code offence reached 106,984 in 1998. Of those, 21% were charged with violent crimes, 51% with property crimes and 29% with other Criminal Code offences (Table 1). Adults showed a proportionally higher involvement in violent crime than youths, as violent crimes accounted for 30% of all adults charged. Youths aged 12 to 17 years account for approximately one in six persons charged with violent offences.

# Despite recent declines, youth violent rate is much higher than a decade ago

### Key terminology and definitions

Violent crime: includes murder, attempted murder, common assault, aggravated and other types of assault, sexual assault, other sexual offences, abduction and robbery

Charged: refers to an incident where formal charges were laid by police.

Not charged: refers to an incident where an accused was identified but, for a variety of reasons, a formal charge was not laid.

Accused: includes youths identified by police as being suspects in a criminal case; equals the total of youths charged and not charged.

Rate: Rates are expressed per 10,000 youths aged 12 to 17. The use of rates makes it possible to eliminate variations due to differences in populations.

See the Methodology section for more detail on the Uniform Crime Reporting Survey.

The rate of youths charged with violent crimes fell marginally (-1%) in 1998 for the third consecutive year (Figure 1). It now stands at 90 youths charged per 10,000 youths aged 12 to 17 years. Despite recent decreases, the rate of youths charged with violent crimes remains considerably higher (+77%) than it was a decade ago. The rate of youths accused of, but not

Figure 1

#### Youths Accused of Violent Crime, Canada, 1988 to 1998

Rate per 10,000 youths

100
80
Charged
40
Not charged
20
1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998

Source: Uniform Crime Reporting Survey, CCJS.

Risk Factors and Successful Interventions For Serious Violent Juvenile
Offenders", Studies on Crime and Crime Prevention, 7(1), 7-30.
Cullen, Francis T., John Paul Wright, Shayna Brown, Melissa M. Moon,

Cullen, Francis T., John Paul Wright, Shayna Brown, Melissa M. Moon, Michael B. Blankenship and Brandon K. Appelgate (1998). "Public Support for Early Intervention Programs: Implications for a Progressive Policy Agenda", Crime and Delinquency, 44(2), 187-204.

Tremblay, Richard E., et al. "Do children in Canada become more aggressive as they approach adolescence?" Growing up in Canada: National Longitudinal Survey of Children and Youth. N° 89-550-MPF, No. 1, Ottawa, November 1996.

See Growing up in Canada: National Longitudinal Survey of Children and Youth. N° 89-550-MPF, No. 1, Ottawa, November 1996.

Statistics Canada. « National Longitudinal Survey of Children and Youth: transition into adolescence» The Daily. Ottawa: 6 juillet 1999, page 3.

Defined by education, professional status and household income.

See among others: Loeber Rolf and David P. Farrington (1998). "Never too Early, Never too Late: Risk Factors and Successful Interventions For Serious Violent Juvenile

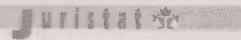


Table 1



#### Distribution Of Youths And Adults Charged By Major Crime Category, Canada, 1998

|                                  |                                    | Person                | ns Charged               |
|----------------------------------|------------------------------------|-----------------------|--------------------------|
|                                  |                                    | Youths 12 to 17 years | Adults 18 years and over |
| Violent Crimes                   |                                    |                       |                          |
|                                  | Number<br>% of total Criminal Code | 22,145<br>21          | 113,127<br>30            |
| Property Crimes                  |                                    |                       |                          |
|                                  | Number<br>% of total Criminal Code | 54,047<br>51          | 140,639<br>37            |
| Other Criminal Code Offences     |                                    |                       |                          |
|                                  | Number<br>% of total Criminal Code | 30,792<br>29          | 127,674<br>33            |
| Total Criminal Code <sup>1</sup> |                                    |                       |                          |
|                                  | Number<br>% of total Criminal Code | 106,984<br>100        | 381,440<br>100           |

Source: Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey.

Note: Percentage may not add to 100% due to rounding.

Excluding traffic offences

charged with, violent crimes has also been climbing steadily since 1988, increasing 61%. (See box *Measuring youth crime rates*.)

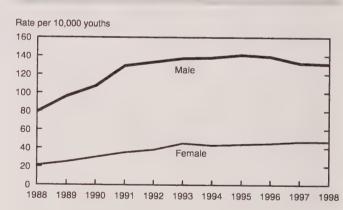
The increase in youth violent crime is much greater than the increase for adults. The adult violent crimes rate has increased only 6% since 1988 (from 46 adults charged per 10,000 in 1988 to 49 adults charged per 10,000 in 1998).

# Violent crime by female youths has risen faster than violent crime by male youths

In the past decade, the rate of female youths charged with violent crimes has risen twice as fast (+127%) as that of male youths (+65%). This trend is also evident for adults, where women have shown a much larger increase in violent crime (+47%) since 1988 than men (+2%). Nevertheless, the rate of female youths charged with violent crimes (47 per 10,000 female youths) is still only one-third the rate of males (131) in 1998 (Figure 2). For adults, the violent crime rate for women (13 charges per 10,000 women) was one-sixth that of men

Figure 2

# Youths Charged with Violent Crimes, by Sex, Canada, 1988 to 1998



Source: Uniform Crime Reporting Survey, CCJS.

#### Measuring youth crime rates

Youths who run afoul of the law can be charged by police or can be dealt with in other ways. The decision to proceed with charges depends on a number of factors, including the youth's eligibility for a diversion program. The *Young Offenders Act* stipulates that the purpose of an alternative measure (AM) program is to avoid subjecting youths to judicial proceedings, provided certain conditions are met. Generally, referral to an AM program is done before charges are laid and is limited to first-time offenders. Further, the police can choose to resolve an incident involving a youth informally by giving him a warning or discussing the incident with his parents when the accused is a first-time offender who has committed a minor offence. Consequently, charge rates depend on the degree to which AMs are used, the fact that referral to an AM program can be made before or after charges are laid, and the extent to which cases are settled informally. Charge rates are not, therefore, a perfect indicator of the level of criminal activity by youth, particularly in terms of assessing relatively minor offences committed by first-time offenders.

With the increasing use of diversion for first-time non-violent offenders, it is important to also examine the trend in youths not formally charged. Data on youths who have not been charged are available from several jurisdictions and can be used to provide a complementary picture of the scope of youth crime.

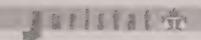


Table 2

#### Comparison Of Male And Female Violent Crime for Youths and Adults, Canada, 1998

|   | Persons Charged |             |              |              |  |  |  |
|---|-----------------|-------------|--------------|--------------|--|--|--|
|   | Youths 12       | to 17 years | Adults 18 ye | ars and over |  |  |  |
|   | Male            | Female      | Male         | Female       |  |  |  |
|   |                 | %           | /o           |              |  |  |  |
| Homicide                                      | 0.3             | 0.0         | 0.4          | 0.4          |  |  |  |
| Attempted Murder                              | 0.4             | 0.1         | 0.5          | 0.4          |  |  |  |
| Aggravated Sexual Assault                     | 0.0             | 0.0         | 0.1          | 0.0          |  |  |  |
| Sexual Assault with Weapon                    | 0.2             | 0.0         | 0.2          | 0.0          |  |  |  |
| Sexual Assault                                | 8.2             | 0.8         | 7.7          | 0.8          |  |  |  |
| Common Assault                                | 45.9            | 67.3        | 59.6         | 64.9         |  |  |  |
| Assault with weapon/causing bodily harm       | 19.7            | 16.0        | 16.9         | 20.1         |  |  |  |
| Aggravated Assault                            | 1.5             | 1.1         | 1.5          | 1.6          |  |  |  |
| Abduction                                     | 0.0             | 0.0         | 0.1          | 0.6          |  |  |  |
| Robbery                                       | 18.5            | 9.2         | 5.8          | 3.4          |  |  |  |
| Other Violent Crimes                          | 5.2             | 5.4         | 7.0          | 7.7          |  |  |  |
| Crimes Of Violence -Total                     | 100             | 100         | 100          | 100          |  |  |  |
| Number of Persons Charged With Violent Crimes | 16,493          | 5,652       | 97,490       | 15,637       |  |  |  |

Source: Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey.

(86). The rates for youths and adults should not be compared as the adult rate includes elderly persons who have very low involvement in crime.

Recent declines in the overall rate of youths charged with violent crimes can be attributed entirely to a decrease in the rate of male youths. That rate dropped 2% drop in 1996, 5% in 1997 and 1% in 1998. In contrast, the rate of female youths charged has continued to rise, climbing 2% in 1996, 5% in 1997 and remaining stable in 1998.

Violent crime actually accounted for a greater proportion (23%) of female youth crime than male youth crime (20%). For adults, violent crime accounted for 23% of crime committed by women, but 31% of all crimes committed by men.

# Assault represents the most frequent violent crime, especially among female youths

For violent crime as a whole, common assault and major

assault accounted for more than 84% of the female youths charged and 68% of the male youths charged (Table 2). The majority of charges against female youths were for common assault (67%), which is the least serious type of assault. For male youths, common assault represented only 46% of the charges for violent crimes. The percentage of common assault charges for

Common assault: - includes Level 1 assaults defined in the *Criminal Code*. These are the least serious types of assault and include pushing, slapping, punching and threatening.

Major assault: - includes the more serious types of assault listed in the *Criminal Code*, including assault with a weapon, or causing bodily harm (Level 2) and aggravated assault (Level 3).

adult females is very similar to that for female youths. However, for adult males, common assault accounted for 60% of the

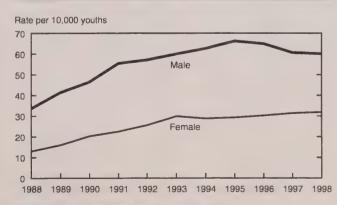
charges for violent crime, a percentage significantly higher than for male youths. Male youths are proportionally more involved in robbery (18%) and major assault (21%) than adult males (6% and 18%, respectively). Table 2 also shows that conversely, youths are proportionally less involved in homicide, attempted murder and kidnapping than adults.

### Common assault is largely responsible for the increase in youth violent crime

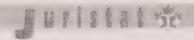
If common assault is excluded from total violent crime, the increase in youth violent crime since 1988 falls to 61% compared to 77% when common assault is included. This finding is especially interesting in the case of female youths

Figure 3

# Youths Charged with Common Assault, by Sex, Canada, 1988 to 1998



Source: Uniform Crime Reporting Survey, CCJS.



where the increase in violent crime, excluding common assault, is 95% (the increase is 127% with common assault); for male youths, the increase in violent crime, excluding common assault, is 55% (the increase is 65% with common assault).

Various hypotheses can be put forward to explain the increase in the rate of youths charged with common assault. The first refers to the "zero tolerance" strategies implemented extensively since the early nineties in order to deal with violence in schools. These "zero tolerance" strategies may have led to increased reporting to police of incidents involving youths aged 12 to 17 years that would previously have been dealt with informally, or even resolved, by school principals.<sup>5</sup> A second hypothesis involves a decrease in the tolerance of violence in all its forms by the population in general resulting in a generalized increase in reporting of such offences to police.

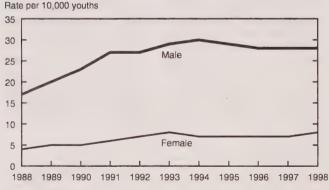
# Major assault has also contributed to the increase in youth violent crime

Major assault<sup>6</sup> has also contributed, to a lesser degree, to the increase in youth violent crime. Charge rates for major assault nevertheless remain significantly below those for common assault (Figure 4). The rate of youths charged with aggravate assault has doubled since 1988 for both female and male youths. However, the rate of female youths charged with major assault still remains relatively low. As with common assault, the rate of female youths charged with major assault represented less than one-third that of male youths in 1998.

There has been little change in major assault as a percentage of total violent crime by youths since 1988. In fact, there has

Figure 4

# Youths Charged with Major Assault\*, by Sex, Canada, 1988 to 1998



\* Includes level 2 and 3

Source: Uniform Crime Reporting Survey, CCJS.

See Stevenson, Kathryn, Jennifer Tufts, Dianne Hendricks and Melanie Kowalski. A profile of youth justice in Canada. Catalogue no. 85-544-XPE, Ottawa: Statistics Canada, Canadian Centre for Justice Statistics, 1998.

6 Includes level 2 and 3 assaults.

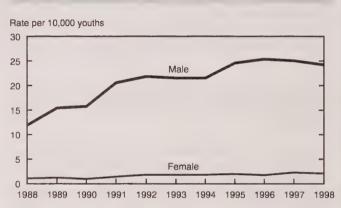
been only a marginal decrease in the percentage of female youths charged with major assault (from 20% in 1988 to 17% in 1998), while the percentage of major assault by male youths has remained stable at 20% since 1988. The relative percentage of aggravate assault in total violent crime is similar for both adults and youth.

### Compared to adults, youths are proportionally more involved in robberies

Over the past ten years, the rate of youths charged with robbery has more than doubled, climbing from 7 youths charged per 10,000 youths in 1988 to 15 in 1998. Once again, the increase in the rate of female youths charged for robbery (176%) was substantially higher than for males (103%) (Figure 5). However, in 1998, the rate of female youths charged for this type of crime still represented only one-sixth the rate of males.

Figure 5

#### Youths Charged with Robbery, by Sex, Canada, 1988 to 1998



Source: Uniform Crime Reporting Survey, CCJS.

Youths accounted for over one-third (36%) of all persons charged with robbery, the highest proportion of youths for any violent offence. Ten years ago, youths represented just 21% of all persons charged with robbery. Robbery accounted for one in six youth violent crimes, compared to one in twenty adult violent crimes.

# The number of youths charged with sexual assault fell for the fifth straight year

In 1998, 1,438 youths aged 12 to 17 years were charged with sexual assault: <sup>7</sup> of that number, 1,390 were males. These figures show that female youths are rarely charged with sexual assault: the same holds true for adult females. In 97% of incidents involving charges against youths for sexual assault, the offence was a level 1 sexual assault. This was also the case with sexual assault charges against adult males.

The rate of male youths charged with sexual assault dropped for the fifth consecutive year (-3%) (Figure 6). These decreases follow a 64% increase between 1988 and 1993. The relative incidence of sexual assault offences is the same for youths and adults: sexual assault charges represented 8% of male youths charged and 8% of adult males charged with violent crimes in 1998.

Includes level 1 sexual assault (this level includes the least bodily harm to the victim); level 2 sexual assault (with a weapon, threatening to use a weapon, or inflicting bodily harm); and, level 3 aggravated sexual assault (injury, mutilation, disfigurement or endangering the life of the victim).

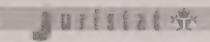
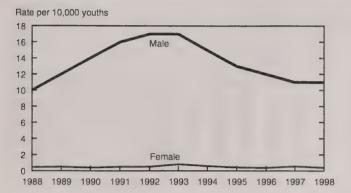


Figure 6

#### Youths Charged with Sexual Assault\*, by Sex, Canada, 1988 to 1998



<sup>\*</sup> Includes level 1, 2 and 3.

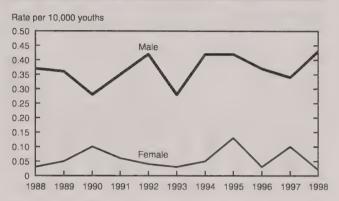
Source: Uniform Crime Reporting Survey, CCJS.

# An average of 51 youths charged with homicide each year

In 1998, the rate of youths charged with homicide rose 3% (Figure 7). A total of 56 youths were charged with homicide, representing 13% of all persons charged with this crime. On average, 51 youths per year have been charged with homicide over the past ten years. However, this figure has varied widely from a low of 36 in 1993 to a high of 67 in 1995. Females accounted for 13% of all youths charged with homicide between 1988 and 1998, very close to the proportion for adults (12%).

Figure 7

#### Youths Charged with Homicide, by Sex, Canada, 1988 to 1998



Source: Homicide Survey, CCJS.

# Provincial and major metropolitan area comparisons

### The youth violent crime rate varies widely across Canada

The level of violent crime by youths varies widely from one region of the country to another; the Atlantic provinces and Quebec reporting rates below the national average, and Ontario and the western provinces reporting higher rates (Figure 8). In 1998, Prince Edward Island (50) and Quebec (54) and had the lowest rates, while the Northwest Territories<sup>8</sup> (191), Manitoba (153), Yukon (143) and Saskatchewan (134) had the highest rates.



#### Youths Charged With Violent Crimes, By Sex, Provinces/Territories, 1998

|                                    | Number of Youths Charged |        |       | Rate | e per 10,000 Y | ouths | % (  | % Change 1988-1998 |       |  |  |
|------------------------------------|--------------------------|--------|-------|------|----------------|-------|------|--------------------|-------|--|--|
|                                    | Male                     | Female | Total | Male | Female         | Total | Male | Female             | Total |  |  |
|                                    |                          |        |       |      |                |       |      | %                  |       |  |  |
| Newfoundland                       | 260                      | 79     | 339   | 103  | 32             | 68    | 92   | 289                | 114   |  |  |
| Prince Edward Island               | 49                       | 11     | 60    | 80   | 18             | 50    | 65   | 115                | 68    |  |  |
| Nova Scotia                        | 468                      | 134    | 602   | 122  | 36             | 80    | 164  | 300                | 184   |  |  |
| New Brunswick                      | 348                      | 147    | 495   | 110  | 49             | 80    | 94   | 203                | 117   |  |  |
| Québec                             | 2,532                    | 481    | 3.013 | 88   | 18             | 54    | 35   | 96                 | 42    |  |  |
| Ontario                            | 6,973                    | 2.377  | 9,350 | 150  | 54             | 103   | 68   | 120                | 79    |  |  |
| Manitoba                           | 1,010                    | 475    | 1,485 | 202  | 100            | 153   | 74   | 116                | 85    |  |  |
| Saskatchewan                       | 829                      | 469    | 1,298 | 167  | 100            | 134   | 99   | 183                | 124   |  |  |
| Alberta                            | 1.817                    | 619    | 2,436 | 136  | 49             | 93    | 70   | 84                 | 73    |  |  |
| British Columbia                   | 2,089                    | 802    | 2,891 | 127  | 52             | 91    | 50   | 132                | 67    |  |  |
| Yukon                              | 36                       | 7      | 43    | 233  | 48             | 143   |      |                    |       |  |  |
| Northwest Territories <sup>1</sup> | 82                       | 51     | 133   | 224  | 154            | 191   |      |                    |       |  |  |

Source: Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey.

Annual Demographic Statistics, 1998 report, produced by Statistics Canada, Demography Division. Population updated postcensal estimates for 1998.

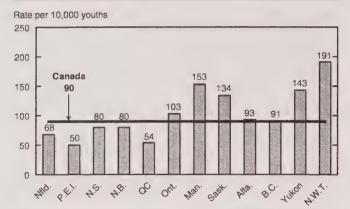
Includes Nunavut

<sup>&</sup>lt;sup>8</sup> Data for the Northwest Territories includes Nunavut throughout this Juristat.

<sup>...</sup> Due to small numbers, the % change figures for Yukon and the Northwest Territories are not appropriate

Figure 8

#### Youths Charged with Violent Crimes, Province/Territory, 1998



Source: Uniform Crime Reporting Survey, CCJS

Despite their high rates, Yukon and the Northwest Territories have experienced the smallest increases in violent crime since 1988. The largest increases occurred in the Atlantic provinces (with the exception of Prince Edward Island) and in Saskatchewan (see Table 3).

It is difficult to determine the extent to which variations in charge rates from coast to coast reflect a real difference in the level of crime or differences in practices and policies of the justice system in each province and territory. There is no question, however, that part of the difference between jurisdictions is attributable to variations in the use of alternative measures. For example, Quebec refers most accused young offenders to alternative measures programs before they are charged, while the opposite is true in Yukon and Ontario where youths are normally referred to alternative measures programs after being charged. 9

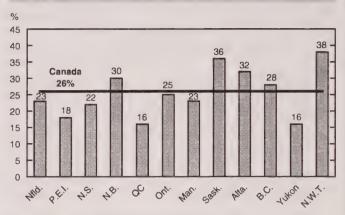
# Proportion of youths charged who are female also varies from jurisdiction to jurisdiction

The percentage of female youths charged in relation to the total number of youths charged with violent crimes also varies across Canada (Figure 9). Quebec (16%), Yukon (16%) and Prince Edward Island (18%) have the lowest percentage of female youths charged. The Northwest Territories (38%), Saskatchewan (36%) and Manitoba (32%) have highest.

A study conducted by the Department of the Solicitor General of Canada in 1998 found that the factor most influencing the decision of police officers to charge an accused young offender is the seriousness of the crime. <sup>10</sup> The differences among provinces noted above could partially be explained by differences in the mix of violent offences among female youths in these

Figure 9

#### Female Youths as a Percentage of Youths Charged with Violent Crimes, 1998



Source: Uniform Crime Reporting Survey, CCJS.

provinces. For example, female youths showed a higher proportion of charges for robbery in Saskatchewan and Manitoba than other jurisdictions (Table 4).

#### Winnipeg has highest rate of youth violent crime

Over the past three years, the youth violent crime rate has declined in the majority of the largest census metropolitan areas (CMAs) (Table 5). Only Montréal, Ottawa and Hamilton reported minor increases. Among the nine largest CMAs, the rate of youths charged for violent crimes was highest in Winnipeg (156 youths charged per 10,000 youths) and lowest in Québec (40).

Winnipeg also had the highest percentage of female youths charged with violent crimes (32%) among the nine CMAs. The lowest percentage of female involvement was reported in the two Quebec metropolitan areas: Montréal (15%) and Québec (17%). There observations are equally valid for adults, with the exception of Vancouver, which has the lowest percentage of adult females charged with violent crimes.

Once again it should be noted that part of the difference between jurisdictions is attributable to variations in the use of alternative measures, as well as differences in local policies and practices with respect to dealing informally with young offenders.

# Characteristics of violent young offenders<sup>11</sup>

# Violence peaks for female youths at a younger age than for male youths

Violent crime appears to peak in female youths at a younger age than in male youths. Figure 10 shows that the peak age for violent young offenders is 15 to 17 years. There are, however, some variations by gender: the rate of male youths accused of violent crimes increases with age, peaking at 17 years, while female accused peak at 14 and 15 years.

<sup>&</sup>lt;sup>9</sup> See "Alternative Measures for Youth" by Melanie Kowalski, Juristat, vol. 19, no. 8.

<sup>&</sup>lt;sup>10</sup> See Factors affecting police diversion of young offenders: A statistical analysis by Peter Carrington; Report to the Solicitor General of Canada.

<sup>11</sup> The data used throughout this section are from a sample of police services reporting to the Revised UCR Survey. See the Methodology section for further details.

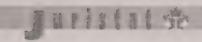


Table 4



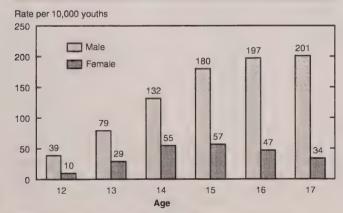
#### Youths Charged With Selected Violent Crimes By Sex, Provinces / Territories, 1998

|                       |                | Number<br>of Youths<br>Charged | Common<br>Assault | • Major<br>Assault <sup>†</sup> | Robbery   | Other<br>Violent<br>Crimes | Total      |
|-----------------------|----------------|--------------------------------|-------------------|---------------------------------|-----------|----------------------------|------------|
|                       |                | number                         | %                 | %                               | %         | %                          | %          |
| Newfoundland          | male<br>female | 260<br>79                      | 60<br>77          | 18<br>11                        | 8         | 14<br>11                   | 100<br>100 |
| Prince Edward Island  | male<br>female | 49<br>11                       | 59<br>            | 10<br>                          | 12<br>    | 18                         | 100        |
| Nova Scotia           | male           | 468                            | 47                | 20                              | 16        | 18                         | 100        |
|                       | female         | 134                            | 64                | 19                              | 6         | 11                         | 100        |
| New Brunswick         | male           | 348                            | 60                | 16                              | 5         | 19                         | 100        |
|                       | female         | 147                            | 76                | 8                               | 4         | 12                         | 100        |
| Québec                | male           | 2,532                          | 42                | 20                              | 24        | 14                         | 100        |
|                       | female         | 481                            | 67                | 16                              | 9         | 8                          | 100        |
| Ontario               | male           | 6,973                          | 49                | <b>22</b>                       | 16        | 13                         | 100        |
|                       | female         | 2,377                          | 73                | 17                              | 6         | 4                          | 100        |
| Manitoba              | male           | 1,010                          | 38                | 22                              | 25 ·      | 15                         | 100        |
|                       | female         | 475                            | 53                | 23                              | 17        | 7                          | 100        |
| Saskatchewan          | male           | 829                            | 45                | 20                              | 17        | 18                         | 100        |
|                       | female         | 469                            | 58                | 17                              | 18        | 7                          | 100        |
| Alberta               | male           | 1,817                          | 41                | 23                              | 21        | 15                         | 100        |
|                       | female         | 619                            | 66                | 16                              | 11        | 7                          | 100        |
| British Columbia      | male           | 2,089                          | 44                | 22                              | <b>20</b> | 14                         | 100        |
|                       | female         | 802                            | 64                | 19                              | 11        | 6                          | 100        |
| Yukon                 | male<br>female | <b>36</b><br>7                 | 50<br>            | 17<br>                          | 6         | <b>27</b>                  | 100        |
| Northwest Territories | male           | 82                             | 44                | 11                              | 5         | 40                         | 100        |
|                       | female         | 51                             | 76                | 10                              | 0         | 14                         | 100        |

Source: Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey.

Figure 10

#### Youths Charged of Violent Crimes, by Age and Sex, 1998



Source: Incident-based Uniform Crime Reporting Survey, CCJS.

#### The decision as to charge or not charge

The older the youth and the more serious the nature of the offence, the greater the chance that a youth will be formally charged by police (Figure 11). Part of this increase with age in the percentage of youths charged can be explained by the fact that older female and male youths are more likely to be repeat offenders, while first-time offenders enjoy a certain degree of tolerance from the various parties in the justice system. The type of violent crime committed might also be a factor, since tolerance and the seriousness of the offence go hand in hand.

### Victims of youth violence are most often of similar age and known to their assailant

Figure 12 shows that over half (52%) of victims of violent crimes committed by youths are other youths. Children younger than 12 years account for 11% of the victims, while adults account for the remaining 37% of the victims. Youths preying on the elderly is a relatively rare occurrence: only 2% of victims of youth violent crime in 1998 were 55 years of age or over.

<sup>1</sup> Includes assault with weapon/causing bodily harm (level 2) and aggravated assault (level 3).

<sup>&</sup>lt;sup>2</sup> Includes Nunavut

<sup>...</sup> Figures not appropriate or not applicable

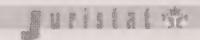


Table 5



#### Youths Charged With Violent Crimes By Sex, Census Metropolitan Areas, 1998

|  | Population   |   | Total   | Ma  | ale Youth  | Fem  | ale Youth  |
|--|--|---|---|---|--|--|--|
|  | Youths 12 to<br>17 years   | 1998<br>rate <sup>1</sup>   | % change<br>in rate<br>1996-1998  | 1998<br>rate <sup>1</sup>   | % change<br>in rate<br>1996-1998   | 1998<br>rate <sup>1</sup>  | % change<br>in rate<br>1996-1998   |
| CMA Total Population 500,000+  |  |   |   |   |  |  |  |
| Toronto<br>Montréal<br>Vancouver<br>Edmonton<br>Calgary<br>Ottawa (the Ontario part of the Ottawa-Hull CMA)<br>Winnipeg<br>Hamilton<br>Québec  | 341,820<br>241,748<br>144,950<br>80,234<br>75,090<br>61,088<br>52,064<br>51,447<br>49,338  | 105<br>76<br>71<br>98<br>104<br>73<br>156<br>88<br>40   | -8<br>9<br>-16<br>-7<br>-26<br>7<br>-13<br>3                              | 161<br>126<br>105<br>143<br>163<br>116<br>207<br>125<br>65  | -11<br>8<br>-20<br>-10<br>-23<br>10<br>-13<br>-4   | 45<br>23<br>35<br>52<br>43<br>27<br>102<br>48<br>14                                | 2<br>16<br>-2<br>1<br>-36<br>-1<br>-11<br>26<br>7                          |
| CMA Total Population 100,000 - 499,999   |  |   |   |   |  |  |  |
| Thunder Bay Kitchener <sup>2</sup> St. Catharines-Niagara <sup>2</sup> London Halifax Windsor Victoria Hull (the Quebec part of the Ottawa-Hull CMA) SasKatoon Regina St. John's Chicoutimi-Jonquière <sup>3</sup> Sudbury Sherbrooke Trois-Rivières | 54,795<br>43,557<br>38,667<br>34,154<br>26,201<br>23,710<br>21,916<br>20,364<br>19,689<br>18,007<br>15,379<br>15,337<br>13,360<br>11,761<br>10,916 | 215<br>87<br>55<br>144<br>59<br>119<br>145<br>71<br>174<br>172<br>78<br>26<br>109<br>44<br>60 | 17<br>5<br>0<br>11<br>-43<br>57<br>-2<br>22<br>3<br>13<br>-28<br>-16<br>4 | 253<br>131<br>76<br>198<br>59<br>177<br>208<br>116<br>202<br>210<br>118<br>42<br>140<br>66<br>104 | 11<br>3<br>4<br>15<br>-64<br>54<br>1<br>31<br>-11<br>-3<br>-33<br>-25<br>14<br>26<br>-10 | 175<br>40<br>32<br>88<br>58<br>58<br>78<br>25<br>145<br>131<br>37<br>9<br>77<br>21 | 27<br>8<br>-11<br>3<br>50<br>66<br>-9<br>-7<br>32<br>54<br>3<br>128<br>-11 |

Source: Statistics Canada, Canadian Centre For Justice Statistics, Uniform Crime Reporting Survey.

Annual Demographic Statistics, 1998 report, produced by Statistics Canada, Demography Division. Population final postcensal estimates for 1996, updated postcensal estimates for 1998.

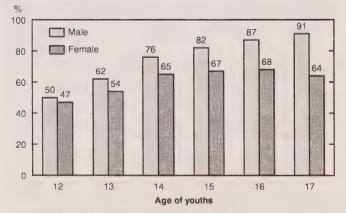
Rates are calculated on the basis of 10,000 youths aged 12 to 17 years by sex.

The population of Kitchener and St. Catharines-Niagara CMA's were adjusted in 1996-1998 to follow policing boundaries.

The population of Chicoutimi-Jonquière was adjusted in 1998 to follow policing boundaries.

Figure 11

#### Youths Charged as a Proportion of Total Youths Accused\*, by Age and Sex, 1998

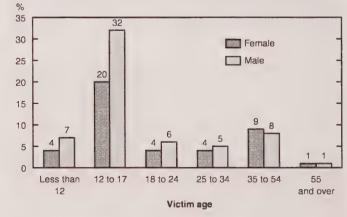


<sup>\*</sup> Sample of 169 police services.

Source: Incident-based Uniform Crime Reporting Survey, CCJS.

Figure 12

#### Age and Sex of Victims of Violent Crimes Committed by Youths, 1998



Note: Percentage may not add to 100% due to rounding.

Source: Incident-based Uniform Crime Reporting Survey, CCJS.

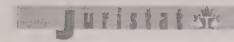


Table 6



#### Relationship Of The Accused To The Victim<sup>1</sup>, 1998

| Relationship to the victim    | Accused   |               |                          |          |  |  |
|-------------------------------|-----------|---------------|--------------------------|----------|--|--|
|                               | Youths 12 | 2 to 17 years | Adults 18 years and over |          |  |  |
|                               | Male      | Female        | Male                     | Female   |  |  |
|                               |           |               | %                        |          |  |  |
| Family member<br>Close friend | 15        | 20            | 42                       | 38       |  |  |
| Acquaintance<br>Stranger      | 59<br>22  | 63<br>12      | 28<br>23                 | 37<br>18 |  |  |
| Total                         | 100       | 100           | 100                      | 100      |  |  |

Source: Statistics Canada, Canadian Centre For Justice Statistics, Revised Uniform Crime Reporting Survey.

**Note:** This table reflects only those cases where there was one accused and one or more victims. Cases where there are multiple accused do not lend to this type of analysis.

3, 403 victims (4 %) are excluded because the relationship with the accused is unknown.

Non-representative sample from 169 police departments, représenting 46% of the national volume of crime.

In most instances, young offenders know their victims. In fact, the victim was an acquaintance in more than 60% of incidents involving young offenders, and this applied equally to males and females (Table 6). Slightly more female youths (20%) than male youths (15%) committed a violent offence against a family member. Adults are much more likely to attack a family member than youths (38% for adult females and 42% for adult males). Female youths are also less likely to attack strangers (12%) than male (22%), adult females (18%), and adult males (23%).

#### Public places most common site of youth violence

According to the data from the Revised UCR survey in 1998, it appears that youths most often commit their violent crimes in public places (35%), followed by in the home or at school (each 24%). Violent crime involving adults is most often committed in the home (60%). There is very little difference based on the gender of the person charged.

#### Violence in schools

The Revised UCR survey captures information on incidents occurring "at school". However, it is not possible to determine if all these incidents took place during school hours. Data from this survey shows that 10% of all violent incidents involving youths in 1998 were committed on school grounds. Of all crimes committed by youths on school property, one-half (51%) were violent.

It appears that there is a tendency not to formally charge youths involved in incidents occurring in schools as compared to incidents not occurring in schools. Of all violent incidents involving youths in schools, 58% were charged, as compared to 68% in incidents occurring elsewhere.

Table 7



#### Most Serious Weapon Present During Violent Crime By Age And Sex Of The Accused<sup>1</sup>, 1998

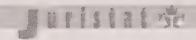
|   | Youths Accused |        |       | Adults Accused |        |       |
|---|----------------|--------|-------|----------------|--------|-------|
|   | Male           | Female | Total | Male           | Female | Total |
|   | 0/0            |        |       |                |        |       |
| Presence of Weapon during<br>Violent Crimes | 15             | 10     | 14    | 13             | 15     | 13    |
| Type of weapon                              |                |        |       |                |        |       |
| Firearm                                     | 15             | 3      | 13    | 18             | 3      | 16    |
| Knife                                       | 48             | 48     | 48    | 38             | 45     | 39    |
| Club, blunt instrument                      | 28             | 35     | 29    | 35             | 40     | 35    |
| Other piercing, cutting instrument          | 9              | 14     | 10    | 10             | 12     | 10    |
| Total - presence of weapon <sup>2</sup>     | 100            | 100    | 100   | 100            | 100    | 100   |

Source: Statistics Canada, Canadian Centre for Justice Satistics, Revised Uniform Crime Reporting Survey.

Note: This table reflects only those cases where there was one accused. Cases where there are multiple accused do not lend to this type of analysis.

1 Non-representative sample from 169 police departments, representing 46% of the national volume of crime.

Total may not add to 100% due to rounding.



# Weapons present in one in seven violent incidents involving youth

Table 7 reveals that a weapon was present in 14% of violent incidents committed by youths, similar to the proportion for adults (13%). The most common weapon was a knife or other cutting object (48% and 29% respectively). Male youths tended to use knives more frequently than adult males (48% vs 38%); for females, the proportions were more similar between youths and adults. Firearms were reported more often in incidents involving male youths (15%) than female youths (3%). The presence of firearms in incidents involving youths was less important to those involving adults.

#### **Summary**

This Juristat has addressed a number of questions relating to youth violence and differences between male and female youths, and youth and adult offenders. The following summarizes the answers to some of these questions.

Between 1988 and 1995, there was a sharp increase in youth violent crime. During this time, female youth violent crime increased twice as fast as male youth violent crime. Since 1995, violent crime rates for male youths have been declining, while those for female youths continue to climb. Despite this trend, the violent crime rate for female youths is still only one-third that of male youths.

Adults show a proportionally higher involvement in violent crime than youths. Violent crimes accounted for 30% of all adults charged compared to 21% for youths.

The involvement of female youths in violent crime diminishes as the severity of the offence increases. The majority of violent crime committed by female youths is common assault, while male youths have higher proportions of major assault and robbery than female youths. Female youths committing violent crime tended to be younger than male youths. For males, the violent crime rate increased gradually with age, peaking at 17. For females, however, the rate peaked at ages 14 and 15.

Youths tend to victimize young people of about the same age who are known to them. Six in ten violent crime victims were acquaintances of the accused youth. Over half (52%) of the victims were youths themselves. Only 2% of victims of youth violent crime were aged 55 years and over in 1998.

#### Methodology

#### **Uniform Crime Reporting Survey**

The Uniform Crime Reporting (UCR) Survey was developed by Statistics Canada with the collaboration and assistance of the Canadian Association of Chiefs of Police. The UCR survey, which was first introduced in 1962, collects data on crime and traffic violations reported by all police services in Canada. The UCR data therefore reflects reported crimes considered to have foundation based on police investigations.

The UCR survey currently collects data at two levels of detail:

#### 1. UCR (aggregate data)

The UCR survey records the number of incidents reported to police. It includes the number of incidents reported and the number of real incidents, the number of incidents classified by charge, the number of persons charged by gender and their breakdown into youths or adults. It does not include any data on the characteristics of victims.

The UCR classifies incidents according to the most serious of the offences in the individual case (in general, the offence punishable by the longest maximum sentence under the *Criminal Code of Canada*). In classifying crimes, a higher priority is always given to violent crimes than to non-violent crimes. Consequently, less serious crimes are underrepresented in the UCR.

The UCR evaluates incidents of violent crimes (except for robbery) differently from other types of crimes. In the case of violent crimes, a separate case is recorded for each victim (for instance, if one person attacks three, three incidents are recorded, but if three people attack one, only one case is recorded). To avoid exaggerating the number of victims, robbery with is always counted as though it was a non-violent crime (for example: the number of persons in a bank during a robbery). In the case of non-violent crimes, one case is recorded (classified according to the most serious crime) for each separate or distinct event.

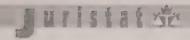
#### 2. Revised UCR - (incident-based data)

The revised micro-data survey collects detailed information on individual criminal offences reported to the police, including the characteristics of victims, the persons charged and the incident. In 1998, detailed data were collected from 169 police services in six provinces under the UCRII. These data represent 46% of the national volume of crime defined in the *Criminal Code*. The incidents recorded in the 1998 data file are broken down as follows: 41% from Quebec, 35% from Ontario, 12% from Alberta, 8% from British Columbia, 3% from Saskatchewan and 1% from New Brunswick. Except for Quebec, the data are mainly from urban police services. Readers are cautioned that these data are not nationally representative. Continuity with the data from the UCR survey was preserved by converting the incident-based data into global figures at year end.

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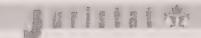
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